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THE
METHOD
OF
PROCEDURE
BY
PRESBYTERIES,
IN

Settling of Schools in every Parish;
Providing Ministers with Manſes,
Glebes and Graſs, Repairing Ruinous
Churches and Church-Yard Dikes,
and Furniſhing Churches with Ne-
ceſſary Utenſils, and in Diſpoſing
of Vacant Stipends, in Purſuance of
the Acts of Parliament Impowering
them to theſe Effects.

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METHOD

PROCEEDURE

PRESBYTERIAL



The Preface.

Albeit the Laws of Scotland do appoint,
That a School be settled in every Pa-
rish, with a suitable Maintenance to a
School-master; That Ministers be accomo-
dated with sufficient Manses and competent
Glebes and Grass; That Churches and Church
Yard Dikes be kept in good Repair, and
that Churches be furnished with necessary Uten-
sils: and Presbyteries are impowered to apply
Vacant Stipends to Pious Uses within the re-
spective Paroches, if the Patrons neglect to do
it; yet those Laws have not hitherto been duely
Executed, either because being scattered Abroad
in our Book of Statutes, Ministers, whose Duty
or Interest chiefly it is to Acclaim the Benefit
of them, have not the Opportunity to know
them; or because the Method and Manner of
Execution, is not so very obvious from the Tenor
of them; Wherethrough it has happened, that
in many Paroches in Scotland, Schools are
wanting, Ministers destitute of these needful
Accommodations, Churches and Church Yard
Dikes Ruinous, & Churches unprovided of the
necessary Uten­sils, and other Pious Works ne-
glected, to the Increase of Ignorance, the dis-
couragement of the Ministry, & the Reproach of
the Protestant Religion: To remeid these Evils,

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I judged my self bound by the duty of the Stations wherein I serve the Church of Scotland, to make the Method of prosecuting the pious Ends of these useful Laws, as plain as I could, which I have attempted to do in the following Sheets, and because I have frequently observed, That even in Cases purely Ecclesiastick, when Church Judicatories have proceeded in a due and orderly manner, the Effects of such Processes have been marred by the Clerks Indistinct and Informal marking of their Procedure ; And considering that this might more readily fall out in the Cases here handled, which are not properly Ecclesiastick, and so not in the common road of the business of the Reverend Church Judicatories, and that Exactness and Accuracy in such Cases as these are, is the more needful, because the Decrets and Sentences to follow upon most of them, will be the foundation of perpetual Rights, which may come to be Canvassed in Secular Courts, and will produce all manner of civil Effects ; I have therefore presumed not only, to trace every Step of the Presbyteries Procedure in such Causes, but have also insert the very Stiles and Forms of the Bills, Acts and Sentences of Presbyteries, as they ought to be Extended by the Clerks. Its like that this Method of Treating these Subjects

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jects, may in some places of Scotland be thought
to have been not very needful, yet in many
places it may be found useful, and perhaps in
some necessary; And if this Essay shall in any
measure prove for the Benefit of the Church,
I have what I Aimed at.

CHAP.

I have what I think is a
manuscript for the benefit of the Church
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CHAP.

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C H A P. I.

Of the Method of Settling a School in every Parish.

WHere Schools are wanting, or where Schoolmasters are not competently provided, with Two Hundred Merks Scots, if the Parish be large, or One Hundred Merks at least, in smaller Parishes, by and attour the Casualties belonging to the Readers & Clerks of Session; The way to obtain a Settlement or Augmentation of the School-masters Fees, &c. is this.

The Minister of the Parish, by himself, or with Concourse of his Kirk Session, may apply to the Presbytery of their Bounds, for a Visitation of that Parish, craving that a day may be affixed for that End, and that Warrant may be given, to advertise the Heretors and Parishioners to meet with the

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the Presbytery the said day, and likewise Warrant may be granted to their Officers, to Warn two or three honest Tradesmen of each necessary Craft, viz. Wrights, Masons &c. to attend the Presbytery the said day and place, to assist them in the said Visitation, which Bill may be to this effect, "Un-
 to the very Reverend the Moderator and remanent Members of the Presbytery of —
 The Representation of Mr. —
 Minister of the Gospel at —, and
 Elders of the said Parish, humbly shew-
 eth; That albeit there has been many
 good and laudable Laws and Acts made
 by the Parliaments of Scotland, for Plant-
 ing and Maintaining of Schools, and in
 particular it is provided by Act 5th. Parl.
 1st. Charles 1st. and by Act 26th. Sess. 6th.
 Parl. 1st. King William, That there be a
 School settled, and a School-master ap-
 pointed in every Parish, and for that
 Effect, that a commodious House be pro-
 vided for a School, and a Sallary modified
 to a School-master, not under One Hun-
 dred Merks, nor above Two Hundred
 Merks, to be laid on and uplifted in man-
 ner provided by the said Acts, yet true it
 is, that the said Parish of — is
 wholly

' wholly destitute of a legal School, (or
 ' the School-master of the said Parish of
 ' is not hitherto provided with a
 ' commodious House, or competent legal
 ' Maintenance) as will appear to the Re-
 ' verend Presbytery, when they shall think
 ' fit to make Tryal thereof, in the usual
 ' manner ; And seing it is necessary for in-
 ' structing the Youth in the said Parish,
 ' and for the more Effectual Propagation
 ' of the Knowledge of CHRIST within
 ' the same, That a School be Erected there-
 ' in, and that the School-master thereof
 ' have a commodious House provided for
 ' him, and a competent Sallary settled
 ' upon him, for his Subsistence; as the Law
 ' appoints; May it therefore please your
 ' Wisdoms, to consider the Premisses, and
 ' to appoint a Dyet, for Visiting the said
 ' Parish, and Enquiring into the State
 ' thereof, with relation to what is above-
 ' mentioned, and to grant Warrant to Ad-
 ' vertise and Warn the Heretors and Pa-
 ' rishioners, and also appoint your Officers
 ' of Presbytery, to Warn and Cite some
 ' Honest Tradesmen of each necessary Craft,
 ' whom the Presbytery shall think fit to
 ' Name, to be present at the said Visita-
 ' tion,

tion, that they may give their Con-
 ' rance towards the settling of a School,
 ' and providing a commodious House, and
 ' a suitable Maintenance for a School-master,
 ' as Law ordains; *And your Petitioner shall*
ever pray.

With this Bill, the Minister may give in
 a Lite of Three or Four Honest Tradesmen
 of each Craft, *viz.* Wrights, Masons, &c.
 out of whom the Presbytery may choose
 two of each Trade, to be Cited as said is,
 and the Heretors may also bring along
 with them two or three Tradesmen, to
 offer to the choice of the Presbytery on the
 Day of the Visitation, and upon this an
 Act of Presbytery may follow, appointing
 a Meeting of the Presbytery at the Church
 of that Parish, at a certain Day, and ap-
 pointing the Minister of the Parish to
 Warn the Heretors and Parishioners, to
 meet with the Presbytery, at the said
 Church, upon the Day appointed for the
 Visitation, to consider of some Affairs re-
 lating to the welfare of the Parish, and
 ordering their Officers to Warn and Cite the
 Tradesmen pitched upon by the Presbytery,
 likewise to be present and assist at the Vi-
 sitation.

This

This Act may be to this purpose, " At
 _____ the _____ day of _____ 17c—
 _____ years ; The which day anent a Pe-
 tition presented to the Presbytery of—
 _____ by Mr. _____ Minister of the Gos-
 pel at _____ (and Elders of the said
 Parish) making mention (*Here the Pe-
 tition must be deduced to the Petitory part
 thereof, and then may be added*) And there-
 fore craving, That the Reverend Presby-
 tery would appoint a Dyet for Visiting
 the said Parish of _____ (*Here insert the
 rest of the Petition to the end, and then say*)
 as the said Petition bears ; The Presby-
 tery having heard and considered the said
 Petition, and finding the desire thereof
 most reasonable, They did, and hereby
 do, appoint a Meeting of the Presbytery
 to be holden at the said Church of—
 upon the _____ day of _____ next to
 come, at _____ of the Clock in the Fore-
 noon, for Visiting the said Parish, and
 for Enquiring into the State thereof with
 relation to a School, and other things
 that concern the Good and Welfare of the
 samen, and appoints the said Mr. _____
 Minister of the said Parish, to Intimate
 the foresaid Dyet of Visitation, from his
 Pulpit,

‘ Pulpit, upon the LORD’s Day next en-
 ‘ suing, immediately after Divine Worship
 ‘ in the Forenoon, to the Heretors and
 ‘ Parishioners of the said Parish, & Warn
 ‘ them to be present thereat, that they may
 ‘ Assist and Concur with the Presbytery in
 ‘ what shall be there Concluded, as fit to be
 ‘ done for the Ends above mentioned. And
 ‘ likewise do Appoint and Ordain ———
 ‘ Officers of Presbytery in that part, or
 ‘ any of them, to Warn and Cite ———
 ‘ Wrights and ——— Masons, also to at-
 ‘ tend the Presbytery the said Day and
 ‘ Place, at the Hour above specified, to
 ‘ give their Advice and Assistance in the
 ‘ Matters above-mentioned. Extracted by
 ‘ me, &c.

This Warning is to be from the Pulpit up-
 on the LORD’s Day, immediately preceeding
 the day of Visitation, in case the Heretors
 be all Residenters, or do live near to the
 Parish; But if any of the Heretors Live at
 a considerable distance, then one or more
 Sabbaths may Intervene, betwixt the Warn-
 ing and the day of Visitation, and the
 Minister may Advertise the Non-residenting
 Heretors by Letters, and the Citations to
 the Tradesmen must be given personally,
 or

or at their Dwelling-houses, some competent Time, at least Six Days before the day of Visitation.

Betwixt and the said day of Visitation, it will be fit, That the Minister, or Kirk Session of that Parish, procure from the Clerk of the Supply of the Shire, an Extract of the several Heretors their Valued Rents within the Parish, and put the same in the Hands of the Clerk of the Presbytery, for the Presbyteries Use at the Visitation.

Upon the Day appointed for the Visitation, the Presbytery being met and constituted, and the Moderator having acquainted the Presbytery with the Design of their Meeting, the former Act of the Presbytery is to be Read, and the Minister and Officers, Executors of the Presbyteries Orders should Report their Diligence, and then the Heretors, Parishioners and Tradesmen are to be called.

And if any Man propose, or offer to sell an House for the Use of the School, and Schoolmaster, then the Presbytery may advise with the Heretors and Parishioners, if they be present and concur, or in case of the absence of the Heretors, or their Refusal

sal to give their Concourse, then with the
 most part of the Heads of Families, being
 present, as to the Fitness and Convenien-
 cy of the said House for that Use; And if
 they do find the same convenient, or in
 case there be no such House proposed, then
 the Presbytery, with the Heretors and Pa-
 rishioners jointly, or in case of the Absence or
 Non-concurrence of the Heretors, with the
 most part of the Parishioners, may, in the
 first Case, consider what Reparations will
 be needful to make it wholly fit for that
 Use; And, in the second Case, may con-
 descend upon the Situation, Bulk, Dimen-
 sions, and Form of a commodious House,
 for the Purposes foresaid; And, in either
 of these Cases, may call the Tradesmen,
 and lay before them what they have con-
 cluded; And the Presbytery having taken
 the Tradesmens Oaths *de fidelis*, they may
 appoint them to Inspect and Visit the
 House proposed, and agreed on, and to
 Value and Estimate the same, as it now
 stands, and how much Money it will take
 sufficiently to repair, and fit the said House
 for the Uses and Ends aforesaid, or in case
 there be no such House offered, and agreed
 on, to Deliberate and Estimate, how much
 it

it will take, to build and finish a commodious House, in that part of the Countrey, for the foresaid Uses; And the Tradesmen having agreed upon a Report, they must give in the same in Writing to the Presbytery under their Hands, and that being done, the Presbytery, with Consent of the Heretors and Parishioners, if they be present, and willing to concur, or if the Heretors convene not, or being present, refuse to concur, then the Presbytery, with Consent of most part of the Heads of Families within the Parish, may, according to the said *Act 5. Cha. 1. Parl. 1.* and *Act 26. Sess. 6. Parl. 1. K. W.* lay on a Stent for a suteable Sallary to a Schoolmaster, not under One Hundred Merks, nor above Two Hundred Merks *Scots*, and for as much Money as they shall find necessary to purchase, and repair or build a commodious House for a School, and pay the Value of the Ground upon which the same is to be founded, and may divide the same among the Heretors, proportionally to each Mans Valued Rent within the Parish, reserving to each Heretor Relief from his Tenents of the half of his Proportion.

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The Act of Presbytery, to be extended upon the Premises, may be in this Form,
 " At the Church of _____ the _____
 ' Day of _____ 170 _____ Years *Ante Me-*
 ' *ridiem.* The which Day, anent a Petiti-
 ' on offered to the Reverend Presbytery,
 ' upon the _____ Day of _____ last by-
 ' past, by Mr. _____ Minister of the Gos-
 ' pel in the said Parish, (and Elders of the
 ' samen) making mention, &c. (*here de-*
 ' *duce the former Act of Presbytery throughout,*
 ' *and then say*) " And the said Presbytery
 ' being this Day convened at the said Pa-
 ' rish Church, conform to the foresaid Ap-
 ' pointment, and being duly constituted,
 ' and the foresaid Act and Order of Pres-
 ' bytery being Read, the said Mr. _____
 ' Reported, That, in Obedience to the fore-
 ' said Order, he, upon the LORD's Day,
 ' the _____ Day of _____ immediately
 ' after Divine Worship in the Forenoon,
 ' did intimate from the Pulpit, to the Here-
 ' tors and Parishioners of his Parish, this
 ' Dyet of Visitation, and did Warn them
 ' to be present thereat, That they might
 ' Assist and Concur with the Presbytery, in
 ' what should be here concluded, as fit to
 ' be done for the Ends above mentioned :

And

And sicklike ———— Officiar in that part
 to the Presbytery, gave in an Execution,
 bearing, That, upon the ———— Day of
 ———— he had, conform to the Presbyte-
 ries Order, Warned and Cited ————
 Wrights, and ———— Masons, &c. to be
 present this Day and Place, to give their
 Advice and Assistance in the Matters above
 mentioned ; And the said Heretors, Pa-
 rishoners and Tradesmen being publickly
 called (1), there compeared ————
*(here insert the Names and Designations of
 the Heretors and Heads of Families compear-
 ing, and then say), (2)* “ The Presbytery
 taking to their Serious Consideration,
 That the Instructing of Youth, in the
 Grounds and Principles of the true Re-
 formed Protestant Religion, is a most Pi-
 ous and Christian Work ; And that, in
 order to advance the same in this Parish,
 it is most necessary, That a School be
 settled, and that a School House, with a
 competent legal Maintenance, be provid-
 ed for a School Master, who may Teach
 the Youth within the same ; They caused
 Read the Acts of Parliament made for
 Planting and Maintaining of Schools,
 particularly the foresaid Act 5. Parl. 1.

' Cha. 1. And Act 26. Sess. 6. Par. 1. K. W. And
 ' finding thereby, That the Presbytery As
 ' Warranted and Impowered, to the Effect
 ' under written, and the said Heretors and
 ' Parishoners openly declaring their Con-
 ' sent, and Willingness to concur, in pro-
 ' viding a School House, and settling a
 ' competent Sallary (or in making a sute-
 ' able Augmentation) to the School Master
 ' of the said Parish ; And ——— having
 ' proposed and offered to Sale an House,
 ' lying ——— and belonging to him, for
 ' the Use of the School and School Master,
 ' The Presbytery, with the Advice of the
 ' Heretors and Parishoners, having confi-
 ' dered the Situation, and other Conveni-
 ' encies of the said House, did judge the
 ' same to be fit and proper for the said Uses;
 ' But found, That, in order to make it ful-
 ' ly answer their said Design, it will require
 ' the Reparations following, (or found,
 ' That there was no House yet built, that
 ' could be fit and convenient for the Uses
 ' foresaid, wherefore they did agree and
 ' condescend upon the Situation, Bulk, Di-
 ' mensions, and Form of a convenient and
 ' commodious House for the School, as fol-
 ' lows) &c (here insert the one or the other
 Conde-

Condescendences, and then say) “ And the
 said Tradesmen being called, and having
 given their Oaths *de fideli*, the foresaid
 Condescendence and Agreement was laid
 before them, and they were appointed to
 Inspect and Visite the House proposed, and
 agreed on, and to Value and Estimate the
 same as it now stood, and how much Mo-
 ney it will take sufficiently to repair and
 fit the said House for the Uses and Ends
 aforesaid (or to deliberate amongst them-
 selves, and Estimate how much it would
 take, in that place of the Countrey, to
 build and finish a commodious House for
 the foresaid Uses), and to Report a just
 Estimate thereof; And the said Trades-
 men having withdrawn, did after some
 time return, and gave in the following
 Report, (*here insert the Trademens Report*)
 which being considered by the Presbytery,
 Heretors and Parishoners foresaid; And
 the Presbytery having had presented to
 them an Extract of the several Heretors of
 the said Parish, their Valued Rents with-
 in the same, under the Hand of the Clerk
 of Supply of the shire, extending in whole
 to the Sum of ——— Scots Money, they,
 with the Consent and Concurrence of the

' said Heretors, & Parishioners, did, & hereby
 ' do Modifie and Appoint the Sum of ———
 ' Money, as a Fee and Sallary for a School
 ' Master in the said Parish (or as an Additi-
 ' on & Augmentation to the Fee and Sallary
 ' of the School Master of the said Parish,
 ' which was only ——— Money formerly,
 ' now making in all the Sum of ———
 ' Money) yearly, in all time coming, and
 ' the Sum of ——— Money for building
 ' (or purchasing and repairing) a commo-
 ' dious House for a School, and that by and
 ' attour the Casualties belonging to the
 ' Reader, and Clerk of Session of the same,
 ' to be payed as follows, *viz.* They do Ap-
 ' point and Ordain the Sallary to be payed
 ' to the Person, who shall be first settled in
 ' the said Imployment, (or to ——— pre-
 ' sent School Master in the said Parish) and
 ' his Successors in the said Office, School
 ' Masters of the said Parish of ——— year-
 ' ly, at two Terms in the Year, *Whitsunday*
 ' and *Martinmas* by equal Portions, begin-
 ' ning the first Terms payment at the Term
 ' of ——— next to come, and so forth
 ' Termly thereafter in all time coming;
 ' And do Appoint and Ordain the said
 ' Sum modified for building (or purchasing
 ' and

and repairing) an House for a School,
 to be payed into ——— who is hereby
 appointed to receive, and lay out the
 same, to that End, at the Sight of the
 Minister, Heretors, and Kirk Session of
 the Parish ; And that by the Per-
 sons under-written, present Heretors
 of the Parish, their Heirs and Successors,
 conform to their Shares and Interests in
 the Lands and Tenements within the Pa-
 rish, and proportionally to each Heretor his
 Valued Rent within the same, at the Rate
 of ——— Money upon each Hundred Pounds
 Scots of Valuation, in manner after. Spec-
 ified, viz. By ——— whose Valued Rent
 is ——— the Sum of ——— yearly of
 Sallary, and the Sum of ——— for the
 School, and by ——— whose Valued
 Rent is ——— the Sum of ——— year-
 ly of Sallary, and the Sum of ——— for
 the School, &c. (*here insert the severall
 Heretors their Proportions of the Valued Rent
 within the Parish, and their Share of the School
 Money, and School Masters Sallary to be payed
 by them, and then say*) “ Reserving to each
 of the foresaid Heretors Relief from his
 Tenents of an half of their Proportions ;
 And the Presbytery humbly entreats the

Right Honourable the Lords of Council
 and Session, That, in case of not due pay-
 ment of what is above modified, conform
 to the Proportions above written, their
 Lordships will Ordain Letters of Horning,
 and other Executorials needful, to pass
 hereupon, for payment of the samen, as
 the foresaid Acts of Parliament do ap-
 point. *Extracted by, &c.*

In case the Heretors compear not, or
 compearing do not consent, but that the
 greatest part of the Heads of Families in the
 Parish be present and concur, then the above
 Draught may be thus altered, *viz.* after
 these Words, (And the said Heretors, Pa-
 rishoners and Tradesmen being publicly
 called, and in stead of what follows betwixt
 Fig. (1) and Fig. (2) say) “ And
 none of the Heretors appearing, except
 ——— (*here insert the Heretors compearing*)
 but there compeared the greatest part of
 the Heads of Families in the said Parish,
viz. &c. (*here insert the Names and De-
 signations of the Masters of Families present,*
and then say as at the said Fig. (2) “ The
 Presbytery taking to their Serious Consi-
 deration, &c. And so on to the end.

If

If neither the Heretors nor most part of the Inhabitants do Conveen, or being Conveened, shall not consent and concur to the foresaid Stent, then the Presbytery having caused mark what is done, in the Form above-mentioned, and after marking the Calling of the Heretors and Parishoners, and their Absence or Refusal to Concur, should appoint two, or three of their Number to go aside, and bring in the Draught of a Bill, to be given in to the Commissioners of Supply of the Shire, Narrating all the Presbyteries procedure in short, in pursuance of the foresaid Act 26. *Sess. 6. Parl. 1. K. W. &c.* and craving that in obedience to the foresaid Act 26, the Commissioners may Stent the Lands and Tenements within the Parish, proportionally to each Heretor his valued Rent within the same, for payment of a competent yearly Sallary, and of a Sum for building or purchasing a commodious House to a School-master, for Instructing the Youth in that Parish, and the Draught being brought in and approven, the Presbytery should appoint one or two of their Number, to attend the Commissioners of Supply at their next Meeting, or if the Presbytery or their said Committee, can

can prevail with any five of the said Commissioners to meet together of purpose, the said Bill may be presented to them, and they by the said Act of Parliament are Impowered to lay on the said Stent, which is declared to be als valid as if done by the Heretors themselves ; so that the said Committee of Presbytery having presented and prosecuted the said Bill, and obtained an Act from the Commissioners of Supply, in their Meeting, or from any five of them met for that End, Stenting the Parish, as said is, the Heretors and Kirk Session, or in case the Heretors refuse to concur, the Kirk Session, with Advice of the Presbytery, may Call and Settle a School-master in that Parish, who will have Right to the foresaid Sallary.

The Bill to be presented to the Commissioners of Supplie, may be in this Form,
 “ Unto the right Honourable the Commis-
 ‘ sioners of Her Majesties Supplie, within
 ‘ the Sheriffdom of, &c. The Repre-
 ‘ sentation of the Moderator and remanent
 ‘ Members of the Presbytery of _____
 ‘ sheweth ; That there being no School
 ‘ settled, nor House Built for a School with-
 ‘ in the Parish of _____ as the Laws do ap-
 ‘ point

point in every Parish within Scotland, the
 Presbytery upon the Application of the
 Minister of that Parish (and Kirk
 Session) did appoint a Visitation for
 Enquiring into the State thereof, with
 relation to their School, and caused due
 Intimation to be made to the Heretors
 and Parishoners, to be present to Assist
 at the said Visitation, and to give their
 Consent and Concourse for settling a
 School in the same, and for modifying
 and appointing a competent Sallary for a
 School-master, and a Sum for Building or
 purchasing a commodious School-house,
 as is ordained by *Act 5. Parl. 1. Cha. 1.*
 and *Act 26. Sess. 6. Parl. 1. K. W.* Yet
 neither the Heretors nor most part of the
 Parishoners did Conveen (or yet the He-
 retors and Parishoners, albeit compearing
 at the said Dyet of Visitation, did refuse
 to give their Consent or Concourse in
 Stenting the Parish, to the End foresaid)
 as the Law appoints, all which will ap-
 pear to your Honours by the Act of Pres-
 bytery herewith produced; And seing
 the Instructing of Youth in the Grounds of
 the Protestant Religion, is a most pious
 and

' and Christian Work, and that in order to
 ' the obtaining of the same, the Law has
 ' Ordered a School to be settled, and a
 ' commodious House for a School to be
 ' provided in every Parish by the Presby-
 ' tery of the Bounds, with the Consent of
 ' the Heretors, or the most part of the Pari-
 ' shoners of each Parish, and failzieing of
 ' such Consent or Concurrence, has ap-
 ' pointed the several Presbyteries to apply
 ' to the Commissioners of Supply, to the
 ' Effect above and after mentioned; May
 ' it therefore please your Honours, to take
 ' the Premises to your serious Considera-
 ' tion, and in pursuance of the foresaid
 ' Laws and Acts of Parliament, to Modifie
 ' and Decern a competent legal Sallary, for
 ' Maintenance of a School Master for
 ' Teaching of the Youth of the said Parish,
 ' suitable to his Charge within the same, not
 ' under one hundred Merks yearly, & a Sum
 ' sufficient for building or purchasing and
 ' repairing a commodious School House,
 ' and that by and attour the Casualties be-
 ' longing to the Reader and Clerk of Ses-
 ' sion thereof, and to Stent and Burden
 ' each Heretor within that Parish, for pay-
 ' ment

ment of the said Sallary, and for building
 or purchasing, and repairing a School
 House proportionably to his valued Rent
 within the same, reserving to each He-
 retor from his Tenants, Relief of half of
 his proportion, as the Law allows; *Ac-
 cording to Justice, and your Honours Answer.*

If the Presbytery or Parish do ly in
 divers Shires, then the Presbytery must
 give in the foresaid Bill to the Commis-
 sioners of Supply of that Shire, or both
 Shires within which the Parish that wants
 a School Master or legal Sallary, does ly,
 who will correspond together in settling
 the said School.

In case the Heretors and Parishoners
 jointly, and failing the Heretors, the
 Major part of the Parishoners alone do
 consent and concur with the Presbytery in
 Stenting the Parish, then upon an Extract of
 the Presbyteries Act, or in case of Non-
 compearance, or Non-concurrence of the
 Heretors or Major part of the Parishoners,
 the Cause go before the Commissioners of
 Supply, then upon an Extract of the Act
 of the Commissioners of Supply, the School
 Master may require the Heretors to pay
 their proportions of his Sallary, and if
 they

they refuse or postpone to make payment, the Lords of Council and Session, upon production of his Act of Admission, and of the foresaid Act of the Presbytery, or Act of the Commissioners of Supply, will ordain Letters of Horning and other Exeutorials to pass thereupon, for payment of the said Sallary; and if the Heretors do suffer two Terms to run in the third unpaid, they will be lyable in the double of their proportion then resting, and in the double of every Terms proportion that shall be resting thereafter, until they pay up their said whole proportions, and that without any Defalcation, and no Suspension of the said Charge will be obtained, except upon Consignation of the Sums Charged for, or a valid Discharge; and Consignation being made and Suspension obtained, the same will be *summarly* dis-cust, without abiding the ordinary course of the Rolls.

If it should happen, that the Commissioners of Supply refuse or delay to Stent the Parish upon the Presbyteries Application, then the Committee or Commissioners of the Presbytery may, after all due Diligence and suitable Applications take Instruments
in

in a Nottars hand, and protest against the Commissioners of Supply upon that Head, and this being Reported to the Presbytery, the Presbytery may present a Bill to the Lords of Session, mentioning shortly all the steps of their Diligence, and the Commissioners of Supply their Refusal, or unjust Delays, and the Instrument taken against them upon that account, and upon production of an Extract of the Presbyteries Procedure, and the foresaid Instrument, with this Bill, their Lordships will either Recommend it to the Commissioners of Supply, to do their Duty in the Matter, or will appoint a Committee of their own Number, to take Knowledge of the State of the said Parish, and to lay on the Stent desired, as the Law provides, or will Authorize the Presbytery themselves to that Effect.

The former Bill to the Commissioners of Supply, will be a sufficient Directory for this second, and this Application to the Lords, if needful, will be drawn by Advice of Lawyers, and therefore there is no need here to insert the Form thereof.

Note,

Nota, By the said Act 26. Sess. 6. Parl. K. W. Liferenters during their Lifetime, are lyable in payment of the proportions Imposed on the Lands Liferented, and persons Lesed by inequality of the proportions Imposed by the Presbyteries, may be Redressed before the Commissioners of Supply, the sheriff of the Shire, or other Judge competent, within the space of year and day after the Imposing of the Stent, and no otherways. And all former Laws, Customs, and Constitutions made for Establishing and Maintaining of Schools, are Ratified and Approven, in so far as the same are not Altered and Innovate by the said Act.

CHAP.

C H A P. II.

*Shewing how Ministers may be provided
with Manſes, Glebes, Graſs, &c. con-
form to Law.*

IN Pariſhes, where the Miniſter has no Manſe and Yeard, with neceſſary Office-Houſes, Glebe and Graſs, or where any of them is wanting, or is not ſufficient and competent, the Method to be followed, to get the ſame deſigned, or the Deficiencies made up, is this,

The Presbytery of the Bounds, upon Application of the Miniſter of the Pariſh, or in caſe there be no Miniſter for the time, the Presbytery, of themſelves, may appoint a certain Day, to hold a Meeting of Presbytery at the Church of that Pariſh for Viſiting thereof; And may Order the Miniſter of the Pariſh, and failing him, any other Miniſter in the Presbytery, to Preach at that Church, upon the LORD's Day, ſome competent

competent time before the Day for the Visitation; And to Intimate to the Heretors out of the Pulpit, immediately after Divine Worship in the Forenoon, That, upon such a Day, as is appointed by the Presbytery the Presbytery is to meet at that Church, to Visite the Parish, and to consider some things that concern the Good and Welfare of the same; And Desiring the Heretors to be present with the Presbytery the said Day and Place, and may grant Warrant to their Officers, to Warn Two or Three of the most Honest and Discreet Men of the Parish, not being themselves Possessors of the Manse or Glebe, to be designed a Sworn Land Metster, and Two or Three Honest Tradesmen of each necessary Craft, such as Masons, Wrights, &c. also to attend the Presbytery the said Day and Place, to Assist them in the foresaid Visitation, as the Law requires.

In case this Visitation take its Rise from the Ministers Application, the Form of the Bill to be given in by him to the Presbytery may be thus, "Unto the very Reverend, the Moderator and remanent Members of the Presbytery of ——— the Representation of Mr. ——— Minister of the

the Gospel at ——— humbly sheweth;
 That albeit, by the Laws and Acts of Par-
 liament, particularly the *Act 72. Parl. 9. Q.*
Mary, Act 48. Parl. 3. and Act 118. Parl.
12. James 6. and Act 21. Sess. 3. Parl. 1. Ch.
 2. Ministers serving the Cure in any Parish
 within this Church, are allowed sufficient
 Manses, situated near to their Churches,
 of such Houses as formerly belonged to Par-
 sons or Vicars. or as much thereof as will
 staik the Minister, albeit it be set in Feu or
 long Tacks, otherways the Parson or Vicar,
 or their Feuers or Tacksmen, are Ordained
 to build him a reasonable and sufficient
 House beside the Kirk ; Or failing of
 such Houses, the Minister is allowed a suffi-
 cient Manse within the Precincts of Cathed-
 ral or Abbey Churches, if any be, or
 otherways the Heretors are appointed to
 build one to him, not above One Thou-
 sand Pounds in Value, nor below Five Hun-
 dred Merks; And to provide and furnish
 him with Four Acres of the best and most
 commodious Arable Land, lying Contigue
 and most Ewest to the Manse; And, by the
 said *Act 21. Parl. 1. Sess. 3. Cha. 2.* with
 Grass for one Horse and two Cows; And,
 by *Act 165. Parl. 12. James 6.* in case there

be a Glebe, but less than the Four Acres,
 the Deficiency is appointed to be made up
 in manner therein mentioned, with Free-
 dom of Foggage, Fewel, Feal and Divot,
 Loaning, free Ish and Entry, and other
 Privileges, according to Use, and Wont;
 And in case all the Kirk Lands near the
 Manse be Arable, so that the Minister can-
 not be accommodated with Grass near the
 Manse, for his Horse and Cows, then the
 Hereors are Ordained to pay him Twenty
 Pound Scots yearly for his Grass: And last-
 ly, by Act 7. Parl. 18. James 6. where
 there is no Arable Land adjacent to the
 Kirk, the Minister is to be provided with
 Four Soums Grass, of the best and most
 commodious Pasturage of Kirk Lands with-
 in the Parish, for each of the foresaid Four
 Acres, to be designed in manner mentioned
 in the said Acts; Yet true it is, That the
 Parish of ——— where your Petitioner is
 settled and ordained Minister, and present-
 ly serves the Cure, has no Manse, Yeard nor
 Office Houses, nor has there ever been so
 much as any Ground yet designed for build-
 ing the same upon, nor any Glebe or Grass
 yet designed as Law requires, (or the Peti-
 tioners Manse is Ruinous, and not Habi-
 table,

' table, and the Glebe and Grass belonging
 ' at present to your Petitioner, as Minister of
 ' the said Parish, is far short of what the
 ' Law allows) (1) wherethrough your Pe-
 ' titioner is very much straitned and dis-
 ' commodated ; And seing the foresaid
 ' Laws and Acts of Parliament do Authorize
 ' and Impower the severall Presbyteries,
 ' (now since the Abolition of Prelacy)
 ' with the Advice of Two or Three Honest
 ' Men of the Parish, to make the foresaid
 ' Designations ; May it therefore please your
 ' Wisdoms to consider the Premisses, and,
 ' in order to the foresaid Designations, to
 ' appoint a Dyer of Presbytery at the Church
 ' of ———, for Visiting of the Parish, and
 ' Enquiring into the State thereof, with re-
 ' lation to what is above represented, and
 ' to grant Warrant to Advertise and Warn
 ' the Heretors, to be present at the said Visi-
 ' tation ; And also, to grant Warrant to
 ' your Officers of Presbytery, to Warn and
 ' Cite Two or Three of the most Honest
 ' and Discreet Men of the Parish, not being
 ' themselves Possessors of the Manse or Glebe
 ' to be designed, with a Sworn Land Met-
 ' ster, and some Honest Tradesmen of each
 ' necessary Craft, whom the Presbytery shall

think fit to name, to be present at the said Visitation, that they may Concur with, and Assist the Reverend Presbytery in the fore-said Designation, in manner prescribed by Law. *And your Petitioner shall ever pray.*

With this Bill, the Minister may give in a List of Four or Five of the most Honest and Godly Men of his Parish, and of a Sworn Land Metster or Two, and of Three or Four Honest Tradesmen of each necessary Craft, *viz.* Wrights, Masons, &c. out of whom the Presbytery may choose Two or Three Honest Parishoners, a Land Metster, and Two Tradesmen of each Craft, who may be Cited by an Officer to be present at the Visitation; And the Heretors may also bring along with them a Land Metster, and Two or Three Tradesmen, to offer to the Choise of the Presbytery on the Day of Visitation.

Betwixt and the Day of Visitation, the Minister should procure from the Clerk of Supply of the Shire, an Extract of the several Heretors their Valued Rents within the Parish, and put it in the Clerk of Presbyteries Hands, for the Presbyteries Use at the Visitation.

Upon

Upon this Application an Act of Presbytery may follow, appointing the Presbytery to meet at the Church of that Parish at a certain Day, and appointing the Minister of the Parish, or failing him, any other Minister of the Presbytery, to preach there, and to Advertise and Warn the Heretors to meet with the Presbytery at the said Church, upon the Day appointed for the Visitation, to consider with them of some Things tending to the Welfare of the Parish, and ordering their Officers to Warn and Cite the Parishoners, Land Metster and Tradesmen, pitched upon by the Presbytery, likewise to be present, and assist at the said Visitation.

This Act of Presbytery may be in the Form after set down, viz. If the Visitation proceed upon the Ministers Application, the Act may be thus conceived, " At ———

' the ——— Day of ——— 170 — Years.

' The which Day, anent a Petition given in

' to the Presbytery of ——— by Mr. ———

' Minister of the Gospel at ——— making

' mention (*here deduce the Petition to the Petitory Part, and then say*) : " And therea-

' fore craving, That the Presbytery would,

' in order to make the foresaid Designation,

' appoint a Dyet of Presbytery at the said

Church of ———, for Visiting that Parish
 (*here insert the rest of the Petition to the*
close, and then say) “ As the said
 Petition bears ; The Presbytery having
 heard and considered the said Petition, and
 finding the Desire thereof just and rea-
 sonable, they did, and hereby do appoint
 a Meeting of Presbytery, to be holden at
 the said Church of ———, upon the ———
 Day of ——— next to come, at ———
 of the Clock in the Forenoon, for Visiting
 that Parish, and for Enquiring into the
 State thereof, with relation to its Manse,
 Glebe and Grass, and other things that
 concern the Good and Welfare of the sa-
 men, and do appoint Mr. ——— Minister
 of the Gospel at ——— to preach upon
 the LORD's Day next ensuing, and to in-
 timatize from the Pulpit, immediately after
 Divine Worship in the Forenoon, the fore-
 said Dyet of Visitation to the Heretors of
 the said Parish, and to Warn and Advertise
 them to be present thereat, that they may
 assist and concur with the Presbytery, in
 what shall be there concluded, as fit to be
 done for the Ends above mentioned ; And
 sikklike do appoint and ordain ——— Of-
 ficers of Presbytery in that part, or any of
 them

' them, to Warn and Cite ——— Parish-
 ' ners of the said Parish, ——— Land Met-
 ' ster, ——— Wrights, and ——— Ma-
 ' sons, also to attend the Presbytery, the
 ' said Day and Place, at the Hour above
 ' specified, and to give their Advice and Affi-
 ' stance in the Matters above mentioned.

Extracted by ———

In case there be no Minister to crave the
 said Visitation, but that the Presbytery think
 fit to appoint it of themselves, then, in the
 Draught of this Act, in stead of these Words,
 (" Anent a Petition given in by ———
 ' mentioning, &c. say,) " The Presbytery
 ' taking to their Consideration, That, &c.
 and so go on as in the Narrative of the Pe-
 tition, and former Draught, only leave
 out these Words (" Where the Petiti-
 ' ner is settled and ordained Minister, and
 ' presently serves the Cure) and where-
 ever the Minister is mentioned, omit the
 same, particularly in place of these Words
 at (1) (" Wherethrough your Petitioner
 ' is very much straitned, &c. say) " Through
 ' the want of which necessary Accommoda-
 ' tions, the said Parish cannot be go settled,
 ' until the same be provided, (and in stead
 of narrating the Petitory Part of the Petiti-
 on,

on, say) “ And the Presbytery finding it
 ‘ necessary, in order to the Settlement and
 ‘ speedy Planting of the said Parish with a
 ‘ Minister, That the same be provided with
 ‘ a sufficient Manse, and with a competent
 ‘ Glebe and Grass, (or that the Manse of the
 ‘ same be repaired and made Habitable,
 ‘ and that the Glebe and Grass be made com-
 ‘ petent) They, in order thereunto, did
 ‘ and hereby do) *here go on as in the for-
 mer Draught to the end.*

This Warning may be given upon the
 LORD's Day immediately preceeding the
 Visitation, if the Heretors be Residenters,
 but if any of them do live at a distance, they
 must be allowed a competent time, and the
 Presbytery or Minister may write Letters to
 the Non-residing Heretors, and the Citation
 to the Parishoners, Land Metster, and
 Tradesmen, must be given to them perso-
 nally, or at their Dwelling Houses, some
 competent time, at least six days before the
 day of Visitation.

Upon the day appointed for the Visitati-
 on, the Presbytery being met and con-
 stituted, the Moderator is to acquaint them
 with the Design of their Meeting, and the
 former Act of Presbytery being read, the
 Minister

Minister and Officer Executors of the Presbyteries Orders, must report their Diligence, and the Officers Execution should be in Write, and then the Heretors, Parishoners, Land Metster, and Tradesmen, warned by Warrant from the Presbytery must be called, and if the Heretors compear, and do offer a Land Metster and Tradesman to the Presbytery, they may (if they think fit) admit of some of them for the Heretors their satisfaction, then the Presbytery is to proceed to make Tryal, by Enquiring at the Heretors and Parishoners present, and otherways, if there be any Church Lands in that Parish? To what Order of Church Men they belonged? Where the same do ly, and are situated? And to whom they now pertain? And by whom posselt? And this Enquiry, and Discoveries made being marked, they, with the Advice and Assistance of any two or three of these honest discreet Men of the Parish present, may pitch upon a sufficient House (if any be) situated near to the Church, formerly belonging to the Parson or Vicar, or if the Parish Church was of old time a Cathedral Church, or that the Parish had therein an Abbacy, then upon a sufficient House within the Precincts, but if
there

there be no such House, the Presbytery with the Assistance of those discreet Men, may pitch upon and design, and the Sworn Measurer chosen by the Presbytery may measure out half an Acre of Church Land, and failing thereof any other Land, nearest to the Kirk, in the Rank and Order after set down, for Building a Manse and Yeard upon, to the Minister, with four Acres (where of old there has been no Glebe) or as much as will make up the Deficiency (where there has been a Glebe, but less than the four Acres) out of the best and most commodiously lying Arable Land, following always precisely the Order after-mentioned, together also with as much Pasture Ground as will Grass one Horse and two Cows, lying contigue, and most Ewest to the Manse, or place designed therefore, out of the Church Lands which belonged of old to the Parson or Vicar, Abbot or Prioress; and failing thereof out of these belonging to the Bishop or Frier, or any other Church Lands within the Parish, such as Chaplanries and Prebendries; But failing Church Lands near the Manse, the Designation may be out of any other Lands nearest to the Manse, with freedom of Foggage, Fewel, Feal, Di-

vot,

vot, Loaning, free Iſh and Entry, and other Privileges according to Uſe and Wont; and if there be no paſture Ground of Kirk Lands near the Manſe, for Graſſing the Miniſters Horſe and Cows, then the Presbytery with the Advice of theſe Honelt Men, may Stent all the Heretors of Church Lands, and failing Church Lands, the whole Heretors of the Pariſh proportionably, or may Stent only that particular Heretor of Church Lands, and failing Church Lands, that Heretor of other Lands whoſe Intereſt lies neareſt to the Manſe, as the Presbytery pleaſes, in twenty pounds Scots yearly, to be payed to the Miniſter for his Graſs; And if there be no arable Land adjacent to the Church, out of which his four Acres of Glebe can be deſigned, then they may deſign and appoint to the Miniſter, four Soums Graſs of the beſt & moſt commodious lying Paſturage of Church Lands within the Pariſh, conform to the Order above mentioned, for each of the ſaid four Acres, (or ſo much as will make up the deficiency, in caſe there has been Graſs belonging to the Miniſter, but leſs than ſixteen Soums) and in caſe there be no Church Lands of any ſort within the Pariſh, near to the Manſe,
the

the Designation of the four Acres, and a Horse and two Cows Grass, or of the sixteen Souns Grass, or Deficiencies thereof, may be out of any other Lands most conveniently Situated for the Minister, and nearest to his Manse, and the Designation being made, and Ground measured, the Presbytery should cause Meith and March the same, and insert the Bounding in their Act of Presbytery.

Thereafter if the Heretors be present, and do willingly concur with the Presbytery, the said Heretors at the sight and with the Concourse of the Presbytery, and of the two or three discreet Parishoners pitched upon by the Presbytery, may (in case there be no Manse) condescend upon the Bulk, Dimensions and Form of a sufficient House for a Manse, and of convenient Office Houses for their Minister, and the Bounds and Extent of his Yeard, and Height of the Dikes thereof, and that being done, they may call the Tradesmen, and lay before them what they have concluded as to these Things, and the Presbytery having taken the Tradesmens Oaths, they may set them apart by themselves, that they may Consult together, in order to Estimate
and

and Report how much Money it will take to Build and Finish the said Manse, Office Houses, and Yeard Dikes; in case there has been none in the Parish before, and in case there be a Manse, Yeard and Office Houses, but Ruinous and insufficient, they may appoint the Tradesmen to Visit and sight the same, and Report how much it will take sufficiently to Repair them; and the said Tradesmen having considered and agreed upon a Report, they may give in the same in Writing under their Hands, to the Heretors, Parishoners, and Presbytery; And that being done, the Heretors at the sight and with Concurrence, of the Presbytery, and the said Honest Men of the Parish, may condescend upon, and Determine the Sum to be bestowed in Building or Repairing the said Manse, Office Houses and Yeard, (the Sum for Building not being above 1000 *lib.* nor under five hundred Merks) and the Extent of the valued Rent of the Parish being laid before them, they may divide and proportion the 20 *lib.* for Grass, among the Heretors of Church Lands, and if there be no Church Lands, they may divide the same and the Sum for Building, amongst the whole Heretors of the Parish, or the
Sum

Sum for Repairing amongst the Heretors and Liferenters, proportionably to each Mans valued Rent within the Parish, or may lay the whole twenty Pounds for Grass upon that Heretor of Church Lands, or failing Church Lands, upon that Heretor of other Lands whose Interest lies nearest to the Manse; Upon all which the Minister, or in case of a Vacancy, the Procurator or Agents for the Church, or one of the Members of the Kirk Session may take Instruments in the Presbyterie Clerks hands, and also in the hands of a Nottar, if they think fit, and may require Extracts, and this Act being Extracted, & Instrument Extended, the Minister, or Procurator or Agents for the Church in case of a Vacancy, may require the Possessors of the House or Ground designed for Building the same upon, and Possessors of the Lands designed for the Glebe, and Horse and Cows Grass, or sixteen Soums Grass, or Additions thereto, to Remove *summarly* therefrom, and the Heretors and Liferenters to pay their respective proportions for Building or Repairing the Manse, &c. and that being done, they may Apply to the Lords of Council and Session by a Bill, narrating the Procedure of the Presbytery as in the
 Act

Act and Instrument, and shewing that the House, or Gound and Lands designed as said is, are posselt by such and such persons, who refuse to Cede the Possession, albeit required thereto, and that the Heretors postpone or refuse to Build or Repair the Manse Yeard Dikes, and Office Houses, or to pay the Money whereto they are Stented for that effect, and therefore craving a Warrant for Letters to Charge the Possessors to Remove from the foresaid House or Lands, on ten days, and the Heretors to make payment of the Sums to which they are Stinted, conform to their several Proportions mentioned in the said Act of Presbytery and Instrument, which must be produced with the Bill, within such a space as the Lords shall think fit, and upon this Application the Lords will grant Warrant, and thereon Letters may be raised, and the Possessors and Heretors Charged to the Effect above-written; All this the Presbytery may do at this Dyet of Visitation if they have time.

But if the Presbytery have not time, or find it otherways inconvenient to end all at this Meeting, then the Presbytery after the Moderator has declared the Design of their Meeting

Meeting, and received the Report of the Diligence of the Minister and Officer Executors of the Presbyteries Orders, and after having called the Heretors, Honest Men of the Parish, Land Metster, and Tradesmen warned to be present, and marking of their Compearance and Concurrence, may Name two or three Ministers of the Presbytery, as a Committee to meet with the Heretors, the two or three Parishoners, Land-Metster and Tradesmen, on such a Day as the Presbytery shall appoint for the Ends above exprest, and to report their Diligence to the Presbytery against such another Day, as the Presbytery shall condescend upon for their next Meeting, and to which they must Adjourn; And this Committee being met upon the Day appointed, with the Heretors, Parishoners, Land-Metster and Tradesmen, they must proceed according to the Method above prescribed; And having put their Report in Writing, and given it in to the Presbytery, upon the Day to which it was Adjourned, the Presbytery may cause read the same; And having maturely considered and approven of their Committees Procedure, they may decern and appoint conform thereto; Upon which the Minister,

ster, Procurator or Agents for the Church, (or any of the Members of the Kirk Session) may take Instruments, and having obtained Extracts, may apply to the Lords, and Charge the Heretors and Possessors, as said is.

If the Heretors either compear not, or compearing, be not willing to concur, then the Presbytery having caused Mark the Heretors Non-compearance, or Refusal to concur, may with Advice of the two or three honest Parishioners, Land Metter and Tradesmen, proceed as above, to design, and measure out the Ground for Building the Manse upon, and the Land for the Glebe and Grass, or for making up the Defects thereof, or Stent the Heretors in the 20 *libs.* for the Grass; or in case there be a Manse, Yard and Office Houses, but Ruinous and Defective, they may cause the Tradesmen Visit the same, and report the Defects thereof, with their Judgment as to the Sum that it will take to Build or Repair them, or the Presbytery may appoint a Committee, who with Advice and Concourse foresaid, may do what is above advised, and report, as said is; And upon this, Instruments being taken as above, and an Act Extracted,

Application may be made to the Lords of Council and Session, begging, that their Lordships will be pleased to interpose their Authority to the Sentence of the Presbytery, and Stent laid on by them, and will thereupon direct their Letters to remove the Possessors, and likewise to Charge the Heretors and Liferenters to meet, and proportion the Sums mentioned in the Presbyteries Act amongst them, and to pay the same conform to their proportions; & if they faill, will Authorize and Impower the Presbytery, to divide and proportion the said Stent as Law appoints, and grant Warrant for Letters to Charge the Heretors and Liferenters respectively to pay their proportions of the same, within such a time as the Lords shall think fit, which their Lordships will grant; But the Presbytery without the Heretors, (and in case of Reparation also, the Liferenters) their Consent and Concourse, or the Lords Authority cannot proportion the Sum laid on among the Heretors and Liferenters, nor will an Act of Presbytery proportioning that Sum, without the Heretors and Liferenters their own Consent, or the Authority of the Lords, be a sufficient Warrant

rant to charge them *summarly* for their said Proportions. But

This Charge being given, if the Heretors obey not the same, and the Liferenters in case of Reparation, then the Minister may either prosecute his Diligence of Horning against them, or if he think fit; may Build or Repair the Manse to himself, and will get Repetition of what he truly Expende upon these accounts, not exceeding the Sum to which the Expences were by the honest Parishoners and Tradesmen, at the sight of the Presbytery Estimated, as said is; These Expences being always instructed by the Tradesmen, Builders or Repairers, and the Furnishers of the Materials, their subscribed Accompts, and Receipts, or other lawful Probation.

Nota, The Liferenters as well as the Heretors may be Stented for Reparation, and if the Heretors or Liferenters offer to contribute their own Materials, the Minister must accept of the same, otherwise he will get no allowance for such Materials as were offered, and refused.

If the Minister do himself Build or Repair the Manse, as said is, he may pursue for Reimbursement of what he has Expended,

ed, before the Judge Ordinary, and the Act of Presbytery, Instrument, and Accompts, and Receipts of the Tradesmen, &c. will instruct the Lybel.

When once a sufficient Manse is built, or repaired, the Heretors may upon Application to the Presbytery, get the same Visited and declared a free Manse, and then the Minister must uphold the same during his Incumbency, upon his own Charges, and the Heretors and Liferenters during the Vacancy, out of the Vacant Stipends.

The Act of the Presbytery to be Extended upon the Premises, may be to this effect, *viz.* In case the Visitation do proceed upon the Ministers Application, the Form may be thus ;

“At the Church of ——— the ——— day
 “ of ——— 170 ——— years, *ante meridiem* ;
 [The which Day anent the Petition presented to the Presbytery, upon the
 “ day of ——— last by past, by Mr. ———
 “ Minister of the said Parish (and Elders
 “ thereof) making mention (*Here take in the former Act of Presbytery, to the end, and then say,*) And the Reverend Presbytery
 “ being this Day Convened conform to
 “ the foresaid Appointment, and the Moderator

'rator having acquainted the Presbytery
 'with the Design of their Meeting, the
 'foreſaid Act and Order of Presbytery was
 'Read, and then the ſaid Mr. ——— re-
 'ported, That in obedience to the foreſaid
 'Order, he upon the ——— day of ———
 'laſt by paſt, being the LORD's Day, did
 'Preach in this Church, in obedience to the
 'Presbyteries Appointment, and immediate-
 'ly after Divine Worſhip in the Forenoon,
 'did Intimate from the Pulpit to the Here-
 'tors of this Pariſh, this preſent Meeting of
 'Presbytery, and did Advertise and Warn
 'them to be preſent thereat, that they might
 'aſſiſt and concur with the Presbytery, in
 'what ſhould be here concluded, as fit to
 'be done, for the Ends above-mentioned;
 'And ſiklike ——— Officer in that part of
 'the Presbytery gave in an Execution, bear-
 'ing, That upon the ——— day of ———
 'he had, conform to the Presbyteries Or-
 'der Warned and Cited theſe diſcreet ho-
 'neſt Men of the ſaid Pariſh, viz. ———
 'as alſo ——— Sworn Land Meſter, ———
 'Wrights, and ——— Maſons, to be pre-
 'ſent this Day and Place, to give their Ad-
 'vice and Aſſiſtance in the Matters above-
 'mentioned, and then the Heretors, Pa-
 'riſhoners,

Parishoners, Land Meister, and Tradesmen
 contained in the said Executions, being
 called, there compeared ——— (*Here
 insert the Names of such as compear, and
 then say*) (2.) And the Moderator having
 Enquired at the said Heretor, and such
 of the Parishoners as were present, if there
 was a Manse, Glebe and Grass for their
 Minister? And it being found that there
 was none; It was further Enquired, if
 there were any Church Lands in the Parish
 near to the Church? What kind of Lands
 they were? Whether arable or pasture
 Ground? To what Order of Church Men
 they did of Old belong? To whom
 they now pertain, and by whom posselt?
 And the Presbytery having made oher
 necessary and accustomed Tryals and En-
 quiry into the State of the Parish, as to these
 and other such particulars, They found
 that, &c. (*Here insert the Matter of Fact
 according to the Discoveries that are made,
 and then say*) (3.) “And thereafter they,
 with the said honest Men of the Parish,
 Land Meister and Tradesmen, did proceed
 to the foresaid Designation, and Visita-
 tion as the Law requires, and accordingly
 the Presbytery with advice foresaid &c.
 (*Here*

(Here insert their Procedure as follows, viz. If there be no Manse found in the Parish, but that there are Houses formerly belonging to Church Men, then say) “ The Presbytery
 ‘ with the advice of the said honest Men
 ‘ did pitch upon the House presently be-
 ‘ longing to _____ and posselt by _____
 ‘ and which of old did pertain to _____

(Here insert the Order of Church Men to whom it anciently pertained) or insert the Cathedral or Abbey within whose Precincts it lyes) and Bounded in manner following, &c. (Here insert the Bounding) But if there neither be Manse nor House belonging to Church Men, then say) “ The Presbytery with
 ‘ advice foresaid of the said honest Men,
 ‘ did pitch upon and design the Lands of
 ‘ _____ belonging to _____, and
 ‘ presently posselt by _____, and which
 ‘ formerly belonged to _____ (Here insert the Heretors and Possessors Names, and Order of Church Men to whom they belonged, observing precisely the Order insert in the fore-said Act 16. Parl. 13. James 6. and then say) “ And the said Metster did measure out
 ‘ half an Acre thereof next to the Kirk, for
 ‘ Building thereon a Manse, Yeard, and Office
 ‘ Houses for the use of the Minister of that
 ‘ Parish,

' Parish, (4.) *And if the Lands be arable,*
say further) " And did also measure out four
 ' Acres thereof lying next to the Seat of the
 ' Manse, for a Glebe to him, and Bounded
 ' as follows, (*Here insert the Bounding of*
these Acres, and then say) " As also the
 ' Presbytery with advice foresaid, did design,
 ' and the said Metster did measure out
 ' ——— Acres of Pasture Ground of the
 ' Lands of ———, belonging to ———,
 ' presently posselt by ———, and which
 ' of old pertained to ———, Bounded
 ' in manner following. &c. (*Here insert as*
above) for a Horse and two Cows Grass to
 the Minister of the said Parish, as being the
 most convenient lying Pasture Ground of
 Kirk Land within the Parish, (5.) and in
 case there be no arable Ground of Church
 Lands near to the Church, then say) " The
 ' Presbytery with advice foresaid did pitch
 ' upon, and the said Metster did measure out
 ' ——— Acres of Pasture Ground, &c.
 ' And so on, as in the Designation of the
 ' Horse and Cows Grass, only in stead of
 ' these words (*For an Horse and two Cows*
 ' *Grass*) say, For Grasing of sixteen Soulds
 ' to the Minister, because there was no arable
 ' Ground of Church Lands found near to
 the

' the Church and Manse, (And in case there
 be no Church Lands of any sort within the Pa-
 rish lying near the Church and Manse, then the
 Designation of half an Acre of Ground for
 founding the Manse, Four Acres of Arable
 Ground for the Glebe — Acres of Pasture
 Ground for the Horse and Cows Grass, and
 failing Arable Ground near to the Church, of
 Sixteen Souns Grass of any other Lands lying
 next to the Church, to whatever Heretor the
 same belongs, may be marked after the same
 Form as above, mutatis mutandis; And in
 case there be no Pasture Ground of any sort ly-
 ing near the Manse for Grasing the Ministers
 Horse and Cows, then say after inserting the
 Glebe as above) " And in regard there was
 ' no Pasture Ground of Church Lands found
 ' near the Manse, for Grasing the Ministers
 ' Horse and Cows; Therefore the Presbytery,
 ' with the Advice of the said Honest Men,
 ' did Scent (——— as the only Heretors
 ' of Church Lands, or) the whole Heretors
 ' of the said Parish, in respect there were no
 ' Church Lands therein, or did burden
 ' ——— as that Heretor of Church Lands,
 ' or ——— as that Heretor of other Lands,
 ' whose Interest lyes nearest to the Manse,
 ' (there being no Church Lands in the Pa-
 ' rish)

' rish) in the Sum of Twenty Pounds Scots
 ' yearly, to be payed to the Minister and his
 ' Successors in Office, in stead of the said Grass;
 (And in case there be a Manse to be built, or
 if there be a Manse already built with a Glebe
 and Grass, but that the Manse be ruinous and
 inhabitable, and that the Glebe and Grass be
 short of what the Law allows, then the above
 Draught may be altered as follows, viz. if the
 Manse be to be built from the Ground, say, af-
 ter marking the Designation of the Ground
 for founding of the Manse and of the Glebe
 and Grass as above advised) (5) " Then
 ' the said Heretors, at the Sight and with
 ' the Concourse of the Presbytery, and of
 ' the said Honest and Discreet Men of the
 ' Parish, and by the Advice of the foresaid
 ' Tradesmen, did condescend upon, and a-
 ' gree to the Dimensions, Bulk and Form of
 ' an House for a Manse, and of convenient
 ' Office Houses for their Minister, and the
 ' Bounds and Extent of his Yeard, and Height
 ' of the Dikes, as follows, &c. (here insert
 the Condescendence of the Heretors as to these
 things, according as they shall be agreed to
 amongst them, and then say) (6) " The said
 ' Tradesmen being called, and having given
 ' their Oaths *de fidei*, the foresaid Conde-
 scendence

scendence and Agreement was laid before
 them, & they were appointed to go apart by
 themselves, & deliberately to consult & ad-
 vise together, how much Money it will take
 to build and compleat a sufficient Manse,
 Office Houses and Yeard, of the Form and
 Dimensions contained in the foresaid Con-
 scendence, and to Report a just Estimate
 thereof; And the said Tradesmen having
 withdrawn, did after some time return,
 and gave in the following Report, &c.
*(here insert the Tradesmens Report as given
 in by them)* (7) " Which being consider-
 ed by the said Heretors, together with
 the Presbytery, and Honest Men of the
 Parish, they did approve thereof, and
 according thereto did appoint and deter-
 mine, That the Sum of ——— should be
 wared out and bestowed for the Ends above
 mentioned, *(And if there be a Manse, &c.
 but ruinous, then, in stead of what is above in-
 sert, as to the building of the Manse, &c. at
 (6) say)* " The Presbytery having called
 the said Tradesmen, and taken their Oaths
de fidei, did pass with them, and with the
 said Heretors and Honest Men of the Pa-
 rish, to the Manse; And having Visited
 and Sighted the same, with the Office Hou-
 ses

' ses and Yeard Dike, they found the same
 ' ruinous, and defective in the particulars
 ' following, &c. (*here insert particularly the*
Defects of the Manse, Office Houses and Yeard
Dikes, and then add) " This Condescen-
 ' dence of the Defects of the Manse, &c.
 ' being laid before the Tradesmen, they were
 ' set apart by themselves, to advise together,
 ' how much it would take compleatly to re-
 ' pair the foresaid Defects, and to make the
 ' said Manse, &c. sufficient; And after
 ' some time they returned, and Reported as
 ' follows, &c. (*here insert the Tradesmens*
Report, and then say) " Which being con-
 ' sidered, &c. (*and so go on as above at (7)*
and insert the Sum for repairing (8) and
thereafter add) " And then the said Here-
 ' tors and Honest Parishoners having had
 ' laid before them an Extract of the severall
 ' Heretors their Valued Rents within that Pa-
 ' rish, under the Hand of the Clerk of Supply
 ' of the Shire or Shires, within which the
 ' said Parish does ly, they did proportion
 ' and lay on the foresaid Twenty Pounds
 ' yearly, for the Ministers Horse and Two
 ' Cows Grass, upon ——— as the only He-
 ' retors of Church Lands (or upon the
 ' whole Heretors of the Parish, in respect
 ' there

'there were no Church Lands found therein)
 'or did burden as that Heretor of Church Lands
 ' (or ——— as that Heretor of other Lands)
 ' whose Interest lyes nearest to the Manse,
 ' there being no Church Lands in the Parish;
 ' and the Sum condescended on for building,
 ' (or Sum agreed to for repairing) the foresaid
 ' Manse, Office Houses, and Yeard Dikes,
 ' among the said whole Heretors or Life-
 ' renters of the Parish, conform to their res-
 ' pective Valued Rents within the same ;
 ' And did agree and appoint, That the same
 ' should be payed as follows, *viz.* That the fore-
 ' said Sum of Twenty Pounds *Scots* Money
 ' yearly, in place of the Minister his Horse and
 ' two Cows Grass, in all time coming, shall be
 ' payed to the Person, who shall be first
 ' settled Minister of the said Parish, (or to
 ' ——— present Minister of the said Parish)
 ' and his Successors in Office, Ministers there-
 ' of, yearly, at Two Terms in the Year,
 ' *Whitsunday* and *Martinmas*, by equal Por-
 ' tions, beginning the first Terms Payment
 ' thereof at the Term of ——— next to
 ' come, and so furth Termly thereafter, in
 ' all time coming, by the Persons under-
 ' written, present (Heretors of Church
 ' Lands, or) Heretors of the said Parish,
 ' and

and their Heirs and Successors, conform to
 their Shares and Interests in the Lands and
 Tenements within the Parish, and propor-
 tionably to each Heretor his Valued Rent
 within the same, at the rate of ——— Mo-
 ney upon each Hundred Pounds Scots of
 Valuation in manner under-written, viz.
 by ——— as that Heretor of Church Lands
 (or that Heretor) whose Lands ly near-
 est to the Church, there being no Church
 Lands in the Parish, or by ——— He-
 retors of Church Lands, (or Heretors
 following, viz.) by ——— whose Va-
 lued Rent within the Parish is ———,
 the Sum of ——— yearly, and by ———,
 whose Valued Rent is ———, the Sum
 of ——— yearly, &c. (*here insert the se-
 veral Heretors their Proportions of the Valued
 Rent within the Parish, and their Share of the
 Twenty Pounds to be payed by them, and then*
 "say) And that the said ——— shall pay, as his
 Proportion of Building, (or Reparations)
 the Sum of ———, and that ——— do
 pay, as his Proportion thereof, the Sum
 of ———, &c. (*and so go on to insert the
 several Heretors their Proportions of Building,
 or the Heretors and Liferenters their Propor-
 tions of Repairing*). " Whereupon, & upon
 all

all & sundry the Premises, the said — Mi-
 nister of that Parish, or — Procurator or A-
 gents for the Church, or Eldea of the said Pa-
 rish asked & took Instruments in the Clerks
 Hands, and craved Extracts one or more, as
 need shall require. *Extracted by —*

If there be a Glebe and Grass in the Pa-
 rish, but not sufficient, then the above
 Draught may be altered thus, (*in stead of
 what is above set down at (4) as to the De-
 signation of the Glebe and Grass, say*)

“ Then the Presbytery, with the Advice and
 Assistance of the said Honest Men of the Pa-
 rish, did cause the said Sworn Land Met-
 ster, in their Sight, measure the Ministers
 Glebe and Grass, (or Sooms Grass) and
 found the same did only extend to —
 Acres and — Roods, and so was de-
 ficient in — Acres and —
 Roods, &c. of what the Law allows ;
 And therefore they also caused the said
 Land Metster, at their Sight, measure out
 — Acres and — Roods of Land lying
 next to the rest of the Glebe or Grass, from
 the Lands of — belonging to — and
 presently possess by — and which
 formerly belonged to —, bounded
 in manner following, &c. (*here insert as
 above*)

above the present Proprietor and Possessor their Names, the Order of Church Men to whom these Lands belonged, and the Bounding of the Acres measured off, and so go on as above is set down for the whole Glebe and Grass, putting only the part that is deficient and now added, instead of the whole) "Whereupon, and upon all and sundry, &c. (here go on as above to the end.)

In case the Presbytery has not ended all at one Days Visitation, but remitted the Matter to a Committee, (then, after marking what is done in the Presbytery that Day, with the Compareance and Concurrence of the Heretors and Honest Men of the Parish, and the Compareance of the Tradesmen and Land Metster as above to (3) say) "But the Presbytery finding, That they could not have time at this Dyet, fully to accomplish the Design of this present Visitation, they thought fit to appoint a Committee of their own Number, who might proceed to finish the same; And for that End they did nominate, &c. (here insert the Names of the Committee, &c.) and did appoint them, with the Advice of the said Honest Men of the Parish, Land Metster and Tradesmen respective, to design a Manse, or Ground to build

' build a Manse upon, with Glebe and Grass,
 ' to the Minister of the said Parish, and did
 ' appoint them, and the said honest
 ' Men, to meet with the Heretors of the
 ' said Parish, that at their Sight the said
 ' Heretors by the Advice, and with the
 ' Assistance of the said Tradesmen, may or-
 ' der the Building or Repairing of the said
 ' Manse, as Law appoints, and ordained
 ' them to meet for that End, at this place,
 ' upon the ——— day of ——— last by
 ' past, and to report an account of their
 ' Diligence in the Premises, to the Presby-
 ' tery against this day, and the said Com-
 ' mittee having Met according to the said
 ' Appointment, and done what was com-
 ' mitted to them, gave in their Report as
 ' follows, &c. (*Here take in the Report of
 the Committee, in the framing whereof, the
 above Scroll of the act of Presbytery will di-
 rect, for they will follow the same order that
 the Presbytery would have done, and then say,*)
 " The which Report being heard, and ma-
 ' turely considered by the Presbytery, and
 ' they being therewith, and with every
 ' Clause and Article of the same, well and
 ' ripely advised, they did, and hereby do
 ' approve thereof, and do Appoint and Or-
 E. dain

'dain according thereto, in all points,
'whereupon, and upon all and sundry the
Premisses, &c. *Here go on, as above, to the end.*

In case of either the Heretors, their Absence or Refusal to Concur, the Form of the Act may be thus altered, *viz.* After marking what is done in the Presbytery, as in the above Draught to the compearance of the Heretors, and after setting down also in that Place, the Heretors their Absence or Refusal to concur, to *Fig. (2)* say, " And the Moderator having Enquired at such of the Heretors and Parishoners as were present, 'if, &c. And so on as in the former Draughts until you come to these words, at *Fig. (5)* " Then the saids Heretors, &c. And from these words go on till *Fig. (8)* leaving out always the Heretors where they are mentioned, and after you come to *Fig. (8)* leave out all that follows until these words at the close of the Act, " Whereupon, and upon all ' and sundry the Premisses, &c. which must be insert to the end of the Act.

The Draught of the Bill to be presented with this Act to the Lords of Session, craving a Warrant for Charging the Possessors to remove, and the Heretors and Liferenters to pay their proportions of the Stent,

Stent, &c. needs not be insert, seing the same will be done by the Raiser of the Letters.

Nota, By Act 21. *Parl.* 1. *Sess.* 3. *Cha.* 2. Incorporat Acres in Village or Town, where the Heretor hath Houses and Gardens, cannot be designed, he always giving other Lands near the Kirk; and Ministers within Burgh cannot acclaim a Glebe, unless a part of the Paroch be to Landward; And by *Parl.* 5. *Act* 62. and *Parl.* 23. *Act* 10. *Ja.* 6. Ministers and Readers Glebes, and Ministers Soums-Grass are declared Teind free; and the Heretors of Church Lands, or if there be no Church Lands in the Parish, the Heretors of other Lands, out of which the Manes and Glebes are designed, or who are burdened with the Twenty Pounds Scots for the Ministers Grass, as having their Lands lying most Ewest to the Kirk, have relief of the other Heretors of the like Lands within the Paroch *pro rata*, *Parl.* 1594, *Cap.* 199. And *Parl.* 1649, *Cap.* 131. Revived, *Parl.* 1663, *Sess.* 3. *Cap.* 21. That is to say, If the Heretor burdened, be an Heretor of Church Lands, he has his relief off the Heretors of Church Lands, effeiring to the value of their Church Lands

within the Parish: And if there be no Church Lands within the same, so that an Heretor of other Lands be burdened, as having Lands nearest to the Church, then he has his relief off the whole Heretors of the Parish, proportionably to the value of their several Lands within the same; But where old Glebes of Parsons are designed, there is no relief due by the Heretors of other Church Lands, except these who have Feus of other parts of the same Glebe, because the Fewers of old Manfes and Glebes are to suffer the Designation, or to purchase new Manfes and Glebes upon their own Charges, *Parl. 9. Cap. 72. Queen Mary.*

CHAP.

C H A P. III.

How Ruinous Churches and Church-Yeard-Dykes may be Repaired as Law provides.

IN Parishes, whereof the Church or Church-Yeard-Dykes are Ruinous, or where the Church-Yeard-Dykes are not built two Elms high, with Stone and Mortar, and sufficient Stiles and Entries as the Law requires; The way to obtain these things to be done, is this.

The Presbytery of the Bounds, upon Application of the Minister of the Parish, or in case of a Vacancy, the Presbytery of their own accord, may appoint a Visitation, and a Minister to Preach and Intimate the Dyet thereof to the Parishoners, and may grant Warrant to their Officers to cite a Mason or two, and as many Wrights and other Tradesmen necessary to attend the Presbytery, the

said Day and Place, to assist them at the Visitation.

In case there be a Minister, and he incline to apply, the Form of the Bill may be to this effect.

“Unto the very Reverend the Moderator,
 ‘and remanent Members of the Presbytery of
 ‘—— the Representation of Mr. ——
 ‘Minister of the Gospel at —— humbly
 ‘sheweth; That albeit the Act 54. Parlia-
 ‘ment, 3d. James 6. does Ratifie a former
 ‘Act of Parliament, and an Act of Secret
 ‘Council, requiring the Parishoners to Big,
 ‘Mend, and Repair their Parish Kirks and
 ‘Kirk Yeard Dykes; and does further ap-
 ‘point, That where Kirks and Kirk-Yeard-
 ‘Dykes are Ruinous, the Parishoners being
 ‘required thereto, shall elect and choose
 ‘persons for making a Taxation, for re-
 ‘pairing and upholding of the same, and if
 ‘they refuse or delay, or where there are no
 ‘Deacons in the Parish to receive the Taxa-
 ‘tion, if appointed, that then the Arch-
 ‘bishop, Bishop, Superintendent, or Com-
 ‘missioner of the Kirk, in time of their Vi-
 ‘sitation, shall at their discretion Nominate
 ‘and Appoint persons in every Parish for
 ‘making and settling of the Taxation, and
 ‘also

' also for receiving the same; and the said
 ' Nomination and Appointment is declared
 ' sufficient; And sicklike Execution is or-
 ' dained to pass thereupon, as if the same
 ' had been made by the Parishoners, and the
 ' Act 232. *Parl. 15. James 6.* Ordains the
 ' Parishoners of every Parish Kirk, to build
 ' and repair their Kirk-Yeard Dykes with
 ' Stone and Mortar, to the height of two
 ' Elms, with sufficient Stiles and Entries, and
 ' ordains the Lords of Session to direct Let-
 ' ters and Charges thereupon as effeirs, and
 ' the Act 18. *Parl. 1st. James the 7th.* does
 ' Statute and Declare, That Vacant Stipends
 ' of all Churches, shall be imployed for re-
 ' pairing of Churches, and other pious Uses
 ' therein mentioned, as the Patron shall de-
 ' termine yearly, under the Pains therein ex-
 ' prest; yet true it is, that the Church and
 ' Church-Yeard-Dykes of the said Parish are
 ' in a very bad Condition, and will quickly
 ' go to Ruine, if the same be not Repaired,
 ' And seing that now by the Abolition of
 ' Prelacy, the care of these matters does
 ' belong to the severall Presbyteries, and
 ' they are by Law Impowered to see to the
 ' Execution of the foresaid Acts of Parlia-
 ' ment; May it therefore please your Wil-
 ' doms

'doms to consider the Premises, and for
 'Redressing of what's complained of, to ap-
 'point a Meeting of Presbytery, at the said
 'Church of ———— where Tryal may be
 'taken of the Condition of the said Church,
 'and Church Yeard Dykes, and such Me-
 'thods followed for repairing thereof as
 'Law prescribes, and to grant Warrant to
 'Advertise and Warn the Parishoners, to be
 'present and Concur with the Presbytery
 'at the said Visitation, and likewise ap-
 'point your Officers to Warn and Cite some
 'honest Tradesmen of each necessary Craft,
 'to give their Advice and Assistance thereat,
 'as use is; *And your Petitioner shall ever*
 'pray.

The Minister may with this Bill, as is said
 in the Preceeding Advice, give in a Lite of
 some honest Tradesmen of each necessary
 Craft, out of whom the Presbytery may make
 choice of two or more, to be called to the
 Visitation.

Upon this, an Act of Presbytery will
 follow, appointing a Dyet of Presbytery at
 the said Kirk, for Visiting the Parish, and
 appointing a Minister to Preach there, upon
 a LORD's Day before the Visitation, and
 to Intimate the Dyet thereof to the Parish-
 oners,

oners, and to advertise them to be present, and granting Warrant to Officers to Cite the Tradesmen pitched upon by the Presbytery, to attend that Dyet.

“Which Act of Presbytery may be Extended by the Clerk in this Form, at the
 ‘_____ day of _____ 170 _____
 ‘years; The which day anent a Petition
 ‘given in to the Reverend Presbytery of
 ‘_____ by Mr. _____ Minister of
 ‘the Gospel at _____ shewing, (Here
 ‘*deduce the Petition to the Petitory part, and*
 ‘*then add*) And therefore craving, that
 ‘the Reverend Presbytery would appoint a
 ‘Meeting at the said Church of _____
 ‘*Here insert the rest of the Petition to the close,*
 ‘*and then say*) “As the said Petition bears,
 ‘the Reverend Presbytery having heard
 ‘and considered this, Petition, and finding
 ‘the Desire thereof Just and Reasonable,
 ‘they did, and hereby do, appoint a Meeting
 ‘of Presbytery to be held at the said
 ‘Church of _____ upon the _____
 ‘day of _____ next to come, at _____
 ‘of the Clock Forenoon, for Visiting the
 ‘said Parish, and enquiring into the Condition
 ‘of the Church and Church-Yeard-
 ‘Dykes thereof, and doing what Law requires

'quires for repairing of the same, & do appoint
 ' ——— Minister of the Gospel at ——— to Preach
 ' at the said Church of ——— upon the
 ' ——— Day of ——— next to come,
 ' being the LORD's Day, and immediately
 ' after Divine Worship in the Forenoon, to
 ' Intimate from the Pulpit to the Parishoners
 ' of that Parish, the foresaid Dyet of Visitation,
 ' on, and to advertise and warn them to be
 ' present and assist thereat, and sickenlike do
 ' require ——— Officers of Presbytery in
 ' that part, or any of them, to warn and
 ' cite ——— Masons and ——— Wrights,
 ' to attend the Presbytery the said Day and
 ' Place, to give their Advice and Assistance
 ' in the Matters above-mentioned. *Extract-*
ed by ———

This Warning and Citation must be time-
 ously given, as said is; And in case the Mi-
 nister understand, That there are Vacant
 Stipends in the Parish undisposed of, it will
 be fit, That he procure from the Sheriff
 Clerk an Extract of the Fiars for these Va-
 cant Years, and put the same in the
 Hands of the Clerk of the Presbytery, for
 the Presbyteries Use at the Visitation; And,
 upon the Day of Visitation, the Presbytery
 being met and constituted, and be-
 ing

ing acquainted with the Design of their Meeting, the former Order of Presbytery should be read, and the Report of the Minister and Officers Executors thereof should be received, and the Names of the Tradesmen cited should be called from the Officers Execution, and their Oath *de fideli* taken; Then the Presbytery may appoint Two or Three of their Number, together with the foresaid Tradesmen, and such of the Parishoners as please, may go along with them, to Inspect and Visite the Condition of the Church and Church Yeard Dikes, and to notice particularly the Faults and Defects thereof, and deliberately to Estimate and Consider, how much it will take sufficiently to repair the same, as Law appoints, and Report their Judgment in Writing to the Presbytery; And the Committee and Tradesmen having given in their Report, and the same being read, the Moderator should enquire, if there be any Vacant Stipends in the Parish undisposed of, and what the Extent thereof is, and who is Patron; And if it be found, That there are no Vacant Stipends, he may require the Parishoners, in Obedience to the said *Act 54. Parl. 3. Ja. 6.* to nominate and appoint some Persons to Stent and Tax

Tax the Parishoners, conform to their several Abilities, for payment of the Sum condescended on by the Tradesmen; And if the greater part of the Parishoners do agree to do so, they may go aside and choose their Stent Masters; And having Reported their Names to the Presbytery, the Presbytery may call them, and appoint them to Report their Stent Rolls betwixt and the next Presbytery Day; But if the Parishoners refuse, or delay to make the foresaid Nomination, the Presbytery, with the Assistance of as many of the Parishoners as will concur, may name such Persons as they shall think fit, to lay on the said Stent, and Report as above.

And if it be found, That there are Vacant Stipends undisposed of, the Presbytery may appoint a Committee to compute the Extent thereof, reckoning the Victual for the Vacant Years at the Rate of the Fiars of the Shire, and the Extract of the Fiars should be put in their Hands for that purpose; And that Committee having made their Report, if thereby it appear, That the Sum of the Vacant Stipends will be sufficient to compleat the foresaid Reparations; And if the Patron be a Subject, then the Presbytery should appoint some of their Number to go to the Patron, betwixt

betwixt and the next Presbytery Day, and shew him an Extract of the Presbyteries Proceedings, in so far as they have gone; Particularly the Report made as to the Condition of the Kirk and Kirk Yeard Dikes, and the Sum condescended on for Repairing them, and the Effect of the Enquiry and Tryal made as to the Sum of the undisposed of Stipends; And that being done, to require him to imploy the said Vacant Stipends toward the Repairing of the said Church and Church Yeard Dikes, as the said *Act 18. Parl. 1. Ja. 7.* does appoint; And the Committee may be ordered to Report their Diligence against the next Meeting of the Presbytery, which should be fixed to a certain Day and Place, and all Parties warned *apud acta* to attend that Dyet.

If the Sovereign be Patron, Application must be made to Her Majesty, Her Treasury or Exchequer, to get the Vacant Stipends applyed to the Uses foresaid.

At the next Dyet of Presbytery, in case there be no Vacant Stipends in the Parish undisposed of, the Report of the Stent Masters must be called for; And the same being read and approved, the Presbytery may appoint some of the Deacons of the Parish, or other
Per-

Persons whom they shall think fit, to uplift the Stent, and with Concourse of the Minister of the Parish and Kirk Session, and likeways of the Heretors, if they think fit to concern themselves, to imploy Workmen, and provide Materials for making the fore-said Reparations, and to pay them, and hold Compt to the Heretors, and Kirk Session, for their Application of the Money, who may imploy the Remainder thereof for buying of any Church Utensils that are wanting, or to any other pious Use which they see needful; And the Presbytery may interpose their Sentence appointing payment to be made to the Persons named Collectors, and intreating the Lords of Council and Session, in case of not due payment, to direct Letters for charging the Parishoners to that Effect, as Law ordains.

In case there be Vacant Stipends, the Report of the Committee appointed to attend the Patron must be called for; And if the Vacant Stipends will suffice to compleat the said Reparations, and that also it appear by the said Report, That the Patron is content to apply the Vacant Stipends on the foresaid Reparations; And if there be produced to them a Writ under the Patrons Hand, designating

stinating the same accordingly, and appointing fit Persons as Commissioners to uplift the same from the several Heretors, and therewith to imploy Workmen, and provide Materials for making the said Reparations at his own Sight, if he be Protestant, or at the Sight and Direction of the Presbytery, if he be Popish; The Presbytery having caused mark these Things, needs proceed no further at that time.

In case there be Vacant Stipends, and that likewise it appear by the Report of the Committee, That the Patron is willing to imploy the same for repairing the Church and Church Yeard Dikes, but that there are not so many as will be sufficient to compleat these Reparations; Then the Presbytery having computed, in how much the Sum condescended on by the Tradesmen, for perfecting these Reparations, does exceed the Sum of the Vacant Stipends, reckoning the Victual at the Rate of the Sberiff Fiars of the several Years, may require the Parishoners, and if they refuse or delay, may themselves, with the Assistance of such of the Parishoners as will concur, appoint Stent Masters for proportioning the said Overplus Sum amongst the Parishoners, as said is, and Report against the next Meeting of Presbytery. In

In case there be Vacant Stipends in the Parish more or fewer, but that it appear by the said Report, That the Protestant Patron refuses or delays to imploy the same to these Uses; Then the Presbytery may proceed, as above, to appoint Stent Masters, for proportioning the whole Sum condescended on by the Tradesmen, amongst the Parishoners as above, and Report against the next Dyet of Presbytery; And in both these Cases, the Presbytery may make another Adjournment, and warn Parties *apud acta* to be present therest.

At this Third Dyet of Presbytery, in these Two last Cases, the Report of the Stent Masters being called for, read and approven, the Presbytery may appoint some of the Deacons of the Parish, or other fit Persons, to uplift and imploy the Sums, and may interpose their Sentence as above.

But if the Presbytery incline not to make so many Dyets about this Affair; Then, in the Case, where there are Vacant Stipends in the Parish, more or fewer, they may, at the first Meeting, not only appoint a Committee to deal with the Patron; But also Stent Masters may be named and appointed, to make a double Cast upon the Parish, one of the

the whole Sum condescended on by the Tradesmen for compleating the Reparations, and another of that Proportion, wherein the Tradesmens Sum does exceed the *Quota* of the Vacant Stipends, and report both Casts to the Presbytery at their next Meeting; And at the next Dyet, the Presbytery may first call for the Report of their Committee, and if thereby it appear, That the Patron is willing to imploy the Vacant Stipends, according to their Desire, and give in a Destination and Commission as above; And if the Vacant Stipends be sufficient to compleat the foresaid Reparations, they need proceed no further.

But if the Vacant Stipends will not go that length, then they must likewise call for the Report of their Stent Masters; And having considered both Reports, if it appear that the Patron agrees to, and secures the imploying of the Vacant Stipends as above, they may take under their Consideration the Cast of the Overplus Sum; But if, by the Report of their Committee, they find, That the Patron refuses or delays to make the foresaid Application of the Vacant Stipends, they may consider the Cast of the Tradesmens whole Sum, and authorize and

F

approve

approve the one or the other of them; in the respective Cases, and appoint Collectors as is above exprest.

The Act of Presbytery to be extended on the Procedure may be to this purpose, " At _____ the _____ Day of _____ 170 _____ Years. The which Day, anent the Petition presented to the Presbytery of _____ upon the _____ Day of _____ last bypast, by Mr. _____ Minister of the Gospel at _____ mentioning, (*here deduce the former Act of Presbytery throughout, and then proceed to narrate what was done at the last Sederunt of Presbytery, and also to finish the whole Act as follows*) " And the Presbytery being the said Day convened and duly constituted, and the Moderator having acquainted them with the Design of their Meeting, the foresaid Act and Order of Presbytery was read; And then the said Mr. _____ Minister of the Gospel at _____ Reported, That, in pursuance of the foresaid Order, he did preach at the said Church of _____ upon the _____ Day of _____ last bypast, being the LORD's Day, and immediately after Divine Worship in the Forenoon, did intimate from the Pulpit, this

' this present Meeting of Presbytery, to the
 ' Parishoners of the foresaid Parish, and did
 ' advertise and warn them to be present, and
 ' assist thereat; And sicklike ——— Officer
 ' of Presbytery in that part, gave in an Exe-
 ' cution of his Diligence, bearing, That,
 ' upon the ——— Day of ——— he had,
 ' in Obedience to the Presbyteries Order,
 ' Warned and Cited ——— Masons and
 ' ——— Wrights to be also present this
 ' Day and Place, to give their Advice and
 ' Assistance in the Matter above mentioned;
 ' Thereafter the saids Tradesmen being called,
 ' and compearing, they gave their Oaths *de*
 ' *fideli*, and then the Presbytery did nomi-
 ' nate ——— as a Committee, and did
 ' appoint them, together with the said
 ' Workmen, and such of the Parishoners as
 ' did concur, to Visit and Inspect the Con-
 ' dition of the said Church and Church-
 ' Yeard Dikes, and to consider particularly
 ' the Faults and Defects thereof, and to Re-
 ' port a just and true Estimation of what
 ' Money it will require sufficiently to mend
 ' and repair the same as the Law ordains;
 ' And the said Committee and Tradesmen
 ' having accordingly Viewed the said Church
 ' and Church Yeard Dikes, and Considered

the Defects thereof, and made an Estimate
 of what Expences it will take to Repair
 the same, they gave in the following Re-
 port in Writing, &c. (*here insert the Re-*
port, and then say) " Which being read and
 considered by the Presbytery (1) the
 Moderator did enquire at the Parishoners
 and others present, if there were any Va-
 cant Stipends in the Parish undisposed of,
 and how many there were? And who was
 Patron of the Parish? (2) And after all due
 Tryal made; the Presbytery finding, That
 there are no Vacant Stipends in the Parish,
 the Moderator, in the Presbyteries Name,
 did require the Parishoners present, That,
 in Obedience to the foresaid Act 54. Parl.
 3. James 6. they would nominate and ap-
 point some Stent Masters, (3) to propor-
 tion and divide the foresaid Sum conscen-
 ded on by the Tradesmen, amongst the
 Parishoners, conform to their severall Abi-
 lities, for repairing of their Church and
 Church Yeard Dikes as Law ordains (4);
 And accordingly the said Parishoners hav-
 ing gone aside for some time, returned,
 and gave in the following Report, bearing
 a List of the Stent Masters, and impower-
 ing them for the end foresaid, (*here insert*

the List, and then say) “ Which Report
 ‘ and List being read and considered, was
 ‘ approved by the Presbytery, and the Per-
 ‘ sons named were called ; And having gi-
 ‘ ven their Oath *de fideli*, they were appoin-
 ‘ ted to set about their Work (5) with all
 ‘ Diligence, and to report their Stent Rolls
 ‘ to the Presbytery betwixt and this Day,
 ‘ to which Dyet the Parishoners were also
 ‘ advertised *apud acta* to be present, and the
 ‘ Presbytery adjourned their Meeting to the
 ‘ said Day and Place (6).

At this Dyet, the Stent Masters named
 the former Dyet, being called, gave in the
 following Report, containing a List of the
 Parishoners, and the several *Quotas* laid up-
 on them, (*here insert the said Report, and*
then say) “ Which Report being read and
 ‘ considered by the Presbytery, they did,
 ‘ and hereby do, approve thereof, and ap-
 ‘ point the Persons following, *viz.* (*here*
insert a Roll of the Deacons of that Parish, or
others appointed by the Presbytery as Collectors
of the Money, and Overseers of the Work)
 ‘ to collect, ingather, and receive the Sums
 ‘ of Money abovewritten, (7) from the se-
 ‘ veral Persons contained in the foresaid
 ‘ Stent Roll, and appoints them, with Con-

' course of the Minister & Kirk Session of the
 ' Parish, and the Heretors thereof, if they shall
 ' think fit to concern themselves, to imploy
 ' Masons, Wrights, and other necessary
 ' Tradesmen, for repairing the said Church
 ' and Church Yeard Dikes, and putting the
 ' same in such Order and Condition as the
 ' Law allows, and to agree with the saids
 ' Tradesmen, provide the needful Materials
 ' for them, oversee and order their Work,
 ' and to pay them for the same, so far as the
 ' said Money will go, and to hold Compt
 ' for the Sums received, and Application
 ' thereof, to the Heretors and Kirk Session
 ' of the said Parish, who are to imploy the
 ' Remainder of the said Money to such
 ' other pious Uses, as they shall find need-
 ' ful; And the Presbytery did, and hereby
 ' do appoint and ordain the several Parish-
 ' ners contained in the Stent Roll above
 ' written, to make payment of their said
 ' respective Proportions of Reparation Mo-
 ' ney, to the Persons above mentioned,
 ' appointed to collect and receive the same;
 ' And in case of not due payment, the Pres-
 ' bytery does humbly intreat the Right Ho-
 ' nourable the Lords of Council and Session,
 ' That they will be pleased to direct Letters
 ' and

' and Charges, upon this present Act of
' Presbytery, for obliging the Persons above
' written to do the same as Law directs.

Extracted by me ———.

If the greater part of the Parishoners ei-
ther convene not, or being met, refuse or
delay to appoint the Stent Masters, then the
Draught of the foresaid Act must go on as
above, until these Words at Fig. (4)

" And accordingly the said Parishoners hav-
' ing gone aside, &c. (and in stead thereof
say) " And the Parishoners refusing, or

' postponing and delaying to make the said
' Nomination, the Presbytery, in pursuance of
' the foresaid Act of Parliament, with Con-
' course of a great many Parishoners, did no-
' minate and appoint ——— (here insert the

*Names of the Persons appointed by the Presby-
tery as Stent Masters, and then say) " as*

' Stent Masters to proportion and divide the
' foresaid Sum of ———, condescended on

' and modified for repairing the Church
' and Church Yeard Dikes of the said Parish,

' amongst the several Parishoners, conform
' to their respective Abilities ; And the Per-

' sons so named being called, they were ap-
' pointed to set about their Work, &c. and

so soon, as at Fig. (5) in the former Draught
to the end.

If it be found that there are Vacant Stipends in the Parish undisposed of, the Draught of the former Act must be thus altered, viz. after these Words at Fig. (2)
 " And after all due Tryal made, (*say*) the Presbytery finding, That there were Vacant Stipends in the said Parish, (8) they did nominate and appoint ——— (*here insert the Names of the Committee*) " as a Committee to withdraw, and compute the Ex-
 rent thereof; reckoning the Victual for the Vacant Years at the Rate of the Fiars of the Shire, and the Extract of the Fiars was delivered by the Clerk to them for that purpose; And the said Committee, after some time, did return, and gave in their Report as follows, (*here insert the Committees Report*) " Which Report being considered by the Presbytery, and they thereby finding, That the said Vacant Stipends, counting the Victual at the Rate of the Sheriff Fiars, did extend to the Sum of ———; And also finding, That ——— is Patron of the Parish, (9) they did, and hereby do nominate and appoint ——— (*here insert the Names of the Committee*) " to go to him, betwixt and the next Presbytery Day, and to acquaint him, by shewing him
 him

him an Extract of the Presbyteries Proceedings, with what the Presbytery has done in this Matter, particularly, with the Extent of the Sum agreed upon for repairing the Church and Church Yeard Dikes, and of the Sum of the Vacant Stipends that are yet undisposed of, and to require him, in the Presbyteries Name, to imploy and apply the said Vacant Stipends, toward the repairing of the said Kirk and Kirk Yeark Dikes, as the said *Act* 18. *Parl.* 1. *James* 7. does appoint; And the Presbytery ordained them to make Report of their Diligence betwixt and the ——— Day of ——— at ——— of the Clock Forenoon at ——— (10) to which Time and Place the Presbytery did adjourn their Meeting, and all Patties concerned were warned *apud acta* to attend that Dyet.

At the next Meeting of the Presbytery, in case there be no Vacant Stipends, (then, after the first Adjournment in the former Draught at Fig. (6), and after marking the Sedérunt, and other things necessary, say)
 "At this Dyet, the Presbytery, after all due Enquiry made, finding, That there were no Vacant Stipends in the Parish undisposed of, the Stent Masters named the
 former

former Dyet being called, gave in their Report, &c. at the said Fig. (6) and so go on to the end, as in the former Draught.

In case there be as many Vacant Stipends, as will compleat the Reparations, & that the Patron is content to apply them to that Use, (*then the former Draught must be thus altered, viz. after the first Adjournment at the said Fig. (6) and after marking the Sederunt, and other things necessary, say*) “ At this Dyet, the Report of the Committee appointed to attend the Patron being called for, they gave in the same as follows, &c. (*here insert the Committees Report (II) and then say*) “ Which Report being considered by the Presbytery, and they thereby finding, That the said ——— Patron is willing to imploy the Vacant Stipends upon the said Reparations; And that, as an Evidence thereof, there was produced in their presence a Write under his Hand, designating the same accordingly, and appointing ——— his Commissioners to uplift them from the several Heretors, and therewith to imploy Workmen, and provide Materials for making the said Reparations, at his own Sight, being Protestant,
or

or at the Sight and Direction of the Pres-
bytery, he being Papist, as the same of the
Date the ——— Day of ——— more
fully bears, (12); They rested satisfied
therewith, and only they did resolve to
see, That the said Commission be duly exe-
cuted. *Extracted by* ———

In case there be Vacant Stipends, and that
the Patron is willing to imploy them on
the said Reparations, but that they will not
suffice for that Use, then mark the Report of
the Committee as at *Fig. (9)* and what
follows immediately above, until these
Words at *Fig. (10)* as the same of the
Date the ——— Day of ——— more fully bears,
(*and likewise insert these Words, until you
come to Figure (10) and then say*) “ But
finding, That the said Vacant Stipends
will not be sufficient to compleat these Re-
parations by the Sum of ———, seing the
same do in so much fall short of the Sum
condescended on by the Tradesmen for the
said Reparations, reckoning the Viſual
Stipend at the Rate of the Sheriff Fiars, these
Years in which the Kirk was Vacant, and
the Stipends undisposed of, did require the
Parishoners present, in Obedience to the
foresaid *Act 54. Parl. 3. Ja. 6.* to nominate
and

‘ and appoint some Stent Masters, &c. (and so go on as in the first Draught from the Figure (3) to the end.)

In case it appear by the Report of the Committee, That the Patron refuses or delays to imploy the Vacant Stipends, more or fewer, towards these Reparations, (then, after marking the Report of the Committee as at Fig. (9) say) “ Which Report being considered by the Presbytery, and they thereby finding, That the said — Patron refuses, postpones or delays to make the foresaid Application of these Vacant Stipends, they did require the Parishoners present, That, in Obedience to the said Act 54. Parl. 3. Ja. 6. they would nominate and appoint Stent Masters, &c. and so proceed as in the first Draught from Figure (3) to the close.

In case the Presbytery incline not to make so many Diets, and that they find by the Enquiry made, that there are vacant Stipends in the Parish undisposed of, then the first Draught must be thus altered, viz. after marking the Report of the Tradersmen, and these Words, Which being read and considered by the Presbytery, to Figure (1) say,
“ The Moderator did enquire at the Parishoners

' shoners and others present, if there were a-
 ny vacant Stipends in the Parish undisposed
 of ? and how many there were ? and who
 was Patron of the Parish ? and after all due
 Tryal made, the Presbytery finding that
 there were vacant Stipends in the Parish ;
 (*Here go on as in the second Draught above-
 mentioned, from Figure (8) downward to
 Figure (9) and then say*) " They did and
 hereby do not only nominate and appoint,
&c. (*Here go on naming the Committee to
 wait upon the Patron as above, in the said se-
 cond Draught at Figure (9), until you come
 to these Words at Figure (10)* " To which
 ' Time and Placethe Presbytery did adjourn,
&c. (*and in Place thereof say*) " But the
 ' Presbytery did likewise require the Pari-
 shoners present, in Obedience to the fore-
 said Act 54 Parl. 3. James 6. to nominate
 and appoint Stent masters, and ordered
 them to make two Casts upon the Parisho-
 ' ners, to wit, one of the whole Sum conde-
 ' scended on by the Tradesmen, for com-
 ' pleting the said Reparations; and another
 ' of the Overplus Sum, wherein the said
 ' Tradesmens Sum does exceed the Sum of
 ' the undisposed of Vacant Stipends, pro-
 ' portioning and dividing the said respective
 ' Sums

‘ Sums separately amongst the Parishoners
 ‘ of the said Parish, conform to their several
 ‘ Abilities, for repairing of their Churches,
 ‘ Church Yeard Dikes as Law ordains; And
 ‘ accordingly the said Parishoners having
 ‘ gone aside for some time, did return, and
 ‘ gave in the following Report, bearing a
 ‘ List of the Stent Masters, and impowering
 ‘ them to the end foresaid, (*here insert the
 List and Report, then say*) “ Which Report
 ‘ and List being read, and considered by the
 ‘ Presbytery, the Persons named were called;
 ‘ And having given their Oath *de fidelis*,
 ‘ they were appointed to set about the
 ‘ Work with all Diligence, and to Report
 ‘ their Stent Rolls against the — Day of
 ‘ — at — of the Clock Forenoon at
 ‘ —, to which Day and Place the Presby-
 ‘ tery did adjourn, and all Parties concerned
 ‘ were warned *apud acta* to attend that Dyet.

At the next Dyet of Presbytery after
 marking the *Sederunt* and other things ne-
 cessary, the Report of the Committee ap-
 pointed to attend the Patron being called for,
 they gave in the same in Writing as followe,
 (*here insert the Committees Report as above at
 Fig.(II)*); And if it thereby appear, That the
 Patron is willing to apply the Vacant Stipends,
 according

according to the Presbyteries Desire, and that he gave in a Destination thereof, and Commission as above; And if the Vacant Stipends be sufficient to compleat the foresaid Reparations, then say) "Which Report being considered, &c. and so on as above at the said Fig. (9) to the end.

But if the Vacant Stipends be not sufficient for the whole Reparations, albeit it appear, That the Patron agrees to bestow them for that Use; Or if it appear by the said Report, That the Patron refuses or delays to imploy the Vacant Stipends, more or fewer, on these Reparations, (then, after inserting the Report of the Committee, say) "And the Presbytery finding by the said Report, That the said ——— Patron is willing to imploy the Vacant Stipends upon these Reparations, and as an Evidence thereof, there was produced in their presence a Write under his Hand, destinating the same accordingly, and appointing ——— his Commissioners to uplift the same from the several Heretors, and therewith to imploy Workmen, and provide Materials for finishing that Work, at his own Sight being Protestant, or at the Sight and Direction of the Presbytery, he being Papist, as the

the same of the Date the ——— Day of
 ——— at more length bears; But finding,
 That the *Quota* of the Vacant Stipends,
 reckoning the Victual at the Rate of the
 Fairs of the Shire for these Years, in which
 the said Church was Vacant, does come
 short of the Sum condescended on by the
 Tradesmen, for compleating the said Repa-
 rations, in the Sum of ———; They did
 likeways call for the Report of the Stent
 Masters named at the first Dyet, who be-
 ing present, gave in their Stent Rolls, con-
 taining Casts of both the said respective
 Sums; But in regard the Patron was wil-
 ling, as said is, to imploy the Vacant Sti-
 pends, so far as they will go, toward the
 foresaid Reparations, they only took under
 their Consideration the Cast of the Overplus
 Sum, wherein the Sum found necessary for
 these Reparations, does exceed the *Quota* of
 the Vacant Stipends; And the said Cast and
 Stent Roll being read, considered and ap-
 proven, they did, and hereby do, appoint
 the Persons following, viz. (here insert
 the Roll of the Deacons of that Parish, and
 others appointed by the Presbytery as Collectors
 of the Money, and Overseers of the Work) "to
 collect, ingather and receive the Sums of
 Money

Money above-written, &c. And so on as in the first Draught from Fig. (7.) to the End.

But if albeit the Vacant Stipends should suffice to compleat the said Reparations, yet if it appear by the Report of the Committee, that the Patron refuses or postpones to imploy the same to that Use; then after inserting the Report of the Committee as above at (11.) say, "And the
 ' Presbyterie finding by the said Report,
 ' that the said Patron refuses or delays to
 ' apply the Vacant Stipends, toward the
 ' repairing the Ruines of the Church and
 ' Church-Yeard-Dikes of his Parish, albeit
 ' the same would sufficiently serve that
 ' purpose, they did likewise call for the
 ' Report of the Stent-masters named at the
 ' last Diet, who being present gave in
 ' their Stent-Rolls, containing Casts of
 ' both the foresaid respective Sums, but in
 ' respect the Patron did refuse or delay to
 ' imploy the Vacant Stipends, toward the
 ' said Reparations, they took under con-
 ' sideration the Cast of the whole Sum
 ' condescended on by the Tradesmen for
 ' compleating the Reparations, and the
 ' said Cast and Stent-Roll being Read,

‘ considered and approven, they did, and
 ‘ hereby do appoint the persons following,
 ‘ viz. (*Here insert a Roll of the Deacons of
 that Parish, and others appointed by the Pres-
 bytery as Collectors of the Money, and Over-
 seers of the Work*) “ To Collect, In-gather,
 ‘ and Receive the Sums of Money above-
 ‘ written; *And so on as in the first Draught
 from Fig. (7.) to the End.*

In case the Presbytery think fit during
 the Vacancy of the Parish, to proceed to
 the foresaid Visitation, the Directions gi-
 ven in the former Advice, touching Manse
 and Glebes, will serve also in this case.

Upon production of an Extract of any
 of the foresaid Acts of Presbytery, Stent-
 ing the Parish, the Lords of Session will
 give Letters of Horning, for Charging the
 Parishoners to pay their proportions to
 the Collectors appointed to receive the
 same, as the said Act of Parliament does
 Ordain.

Nota, If the Patron be Popish, and refuse
 upon the Presbyteries Application to be-
 stow the Vacant Stipends for Repairing the
 Church, and Church-Yeard-Dikes, the
 Presbytery are Impowered by Law to do it
 of themselves, as is more fully shown in the
 first and last Chapters,

CHAP.

C H A P. IV.

How Churches may be furnished with the necessary Utenfils.

IF in any Parish, Basons and Lavers for Baptism, Cups, Tables, and Table-Cloth, for the Communion, or other Church Utenfils are wanting, the way to oblige the Parishoners to furnish the same, is this.

The Minister of the Parish, after using all other means proper, for getting the said Utenfils provided, may apply to the Presbytery, as in former Cases, for a Visitation, and Warrant to advertise the Heretors to be present thereat, to this effect; “Un-
 ‘to the very Reverend the Moderator, and
 ‘remanent Members of the Presbytery of
 ‘—— the Representation of Mr. ——
 ‘Minister of the Gospel at —— humb-
 ‘ly sheweth; That albeit the Act 6. *Parl.*

22. Ja. 6. Ordains, That all Parish
 Churches be provided with Basons and
 Lavers for the Ministration of the Sacra-
 ment of Baptism, and with Cups, Tables,
 and Table-Cloths, for the Ministration
 of the Holy Communion, and ordains
 the Expences thereof to be made by the
 Parishoners, and Ministers of every Kirk
 to do their diligence for providing the
 same by causing the Parishoners Stent
 and Tax themselves to the Effect foresaid,
 and for putting in Execution the said
 Act, ordains the Lords of Council and
 Session to give forth their Letters, for
 Charging the Parishoners to Conveen, and
 Tax themselves to the said Effect, and
 to make payment of the Money wherein
 they shall be Stented, as the same shall be
 required; Yet the said Church of ———
 does at present want the foresaid Utensils,
 to the great Loss and Reproach of the
 Parish, as will appear to the said Pres-
 bytery, when they shall think fit to En-
 quire into it; And seing it is very fit that
 provision should be made for these ne-
 cessary Church Utensils, and that Enquiry
 should be made into the Causes that have
 hitherto obstructed, and that it will be
 found

'found needful, that the Reverend Pres-
 'bytery interpose their Influence, to assist
 'the Petitioner in using Diligence to pro-
 'vide the same; May it therefore please
 'your Wisdoms to consider the Premises,
 'and to appoint a Diet of Presbytery at
 'the said Church of ——— for Visiting
 'the Parish, and enquiring how the same
 'is provided with the foresaid Utensils,
 'and into the Reasons of its want thereof,
 'for so long time, and to assist the Petiti-
 'oner in getting the same now provided
 'as Law appoints, and for rendring the
 'design of the foresaid Visitation Effectual,
 'to appoint the Parishoners to be Warned
 'and Advertised to be present, and to
 'Assist and Concur in what shall be found
 'necessary to the Ends above-mentioned.

And your Petitioner shall ever pray:

Upon this an Act of Presbytery may be
 made, appointing the Presbytery to meet
 at the said Church on such a Day, and ap-
 pointing a Minister to Preach there, and
 advertise the Parishoners to be present,
 and assist at the Visitation, in the usual
 Form.

The Draught of this Act may be of the
 same Form, and with Warrant for Citati-

on, as in the case of Ruinous Churches and Church-Year-dykes, only what concerns the Citing of Tradesmen must be Omitted, seeing there will be no use for them here.

At the Day appointed for the Visitation, the Presbytery being met and Constituted, the Design of the Meeting declared, the former Order of Presbytery Read, and the Report of the Minister Executor of the Order his Diligence received, the Moderator in the Presbyteries Name, may enquire at the Minister, Kirk-Session, and Parishoners present, if they have a Bason and Laver for Baptism, and Cups, Tables, and Table-Cloths for the Administring the LORD's Supper, and if they be found wanting, the Reasons thereof may be enquired into, and the Moderator may require the Parishoners to Stent and Tax themselves as the fore-said Act of Parliament ordains, in such a Sum as may be necessary for furnishing and providing the same, and if the Parishoners do agree to do so, and do presently go aside, and Estimate and Determine such a Sum as they shall judge sufficient for these Uses, and do Name Stent-masters, they must report the same to the Presbytery, and

and the Presbytery having caused Read, and considered the Report, and Approven the same, may call the Stent-masters, and appoint them to prepare and give in their Report against the next Presbytery Day.

And this being done, the Presbytery may Adjourn to what further Day and Place they please; The next Presbytery Day the Report of the Stent-masters must be called for, and being Read and Approven, the Presbytery may appoint these same persons, or others, to uplift the Stent, and pay in the Money Collected, to the Minister and Kirk-Session, who with the Advice of the Heretors, if they think fit to concern themselves, may buy and provide the Utensils that are wanting, so far as the Money Collected will reach, and may apply the remainder for buying of a Mort-Cloth, a Common Bier for carrying the Poor to Burial, or the like, if these be wanting, or to any other pious Use they shall think fit; And the Presbytery may by their Sentence, appoint payment to be made to the Collectors Nominate by them.

But if the most part of the Heads of Families Conveen not, or being Conveened, do

do refuse or delay to Tax the Parish, and to appoint Stent-masters, as said is ; Then the Presbytery at their first Diet of Visitation, with the assistance of such of the Parishoners as are present, may Estimate and Determine such a Sum as they judge sufficient for furnishing and providing the foresaid Utensils.

These Acts may contain a Clause, humbly Supplicating the Lords of Council and Session to these Effects, *viz.* In case the Parishoners have Conveened, and laid on the Stent as Law requires, then to intreat, that in case of not due payment, their Lordships will give forth their Letters, for Charging the Parishoners to make payment of their respective proportions conform to the Act of Presbytery ; But if the Parishoners did not Conveen, or being met, did refuse or postpone to lay on the foresaid Tax, and that the *Quota* of the Stent is determined by the Presbyteries Order, then the request to the Lords may be, that their Lordships will give forth their Letters for Charging the Parishoners to Conveen, and Tax themselves, to the Effect foresaid, within such a time as their Lordships shall think fit, and if they failzie therein; will
 Authorize

Authorize the foresaid Stent and Estimate made by the Presbytery, and Impower the Presbytery to proportion the same among the Parishoners, according to their several Abilities, and ordain the Parishoners to make payment of their said proportions..

The Act of Presbytery to be extended on this Visitation, may be thus, " At ———
 ' the ——— day of ——— 170—— years,
 ' The which day anent the Petition
 ' presented to the Presbytery of ———
 ' upon the ——— day of ——— last
 ' by past, by Mr. ——— Minister of the
 ' Gospel at ——— which maketh men-
 ' tion, That (*Here insert the former Act
 and Warrant of Presbytery, and then insert
 the proceedings of the former Sederunt, and
 compleat the Act in the following manner*)
 ' And the Presbytery being the said day
 ' Conveened and Constituted, and the
 ' Moderator having acquainted them
 ' with the design of their Meeting, the
 ' foresaid Act and Order of Presbyterie was
 ' Read, and then Mr. ——— Minister of
 ' the Gospel at ——— reported, That in
 ' compliance with the foresaid Order, he
 ' did Preach at the said Church of ———
 ' upon

' upon the ——— day of ——— last bypast,
 ' being the LORD's Day, and immediately
 ' after Divine Worship in the Forenoon,
 ' did Intimate from the Pulpit the foresaid
 ' Meeting of the Presbyterie, to the Pa-
 ' rishoners of the said Parish, and did Ad-
 ' vertise and Warn them to be present and
 ' Assist thereat; Then the Moderator in
 ' the Presbyteries Name did enquire at the
 ' Minister and Kirk-Session, and Parishoners
 ' present, if they had a Bason and Laver
 ' for Baptism, and Cups, Tables, and
 ' Table-Cloths for the Administration of
 ' the LORD's Supper, and if they want
 ' them, what are the reasons of their be-
 ' ing so long wanting, to which they An-
 ' swer (*Here insert the Account that the Mi-
 nister, Kirk-Session, and Parishoners give, as to
 their having or wanting these things, and
 Reasons of their want, and then say*) " And
 ' the Presbyterie finding, that the said
 ' Church Utenfils are wanting in this Pa-
 ' rish, and that it is absolutely necessary that
 ' the same be now provided, therefore the
 ' Moderator in their Name did require the
 ' Parishoners to Stent and Tax themselves
 ' in such a Sum as may be necessary for that
 ' End, as the foresaid Act of Parliament
 ' ordains

'ordains (1.) and the Parishoners having
 'declared their willingness so to do, did
 'for that End withdraw for some Time,
 'and being returned, gave in the follow-
 'ing Report, &c. (*Here insert the Report,*
which must bear the Sum to be laid on for
these Ends, and the List of the Stent-masters,
and a Warrant for them to divide and pro-
portion that Sum among the Parishoners, con-
form to their several Abilities, and then say)
 'Which Report and List being Read and
 'considered, was Approven by the Pres-
 'byterie, (2.) and the persons named
 'were called, and were appointed to set
 'about their Work with all diligence, and
 'to make their Report to the Presbyterie
 'betwixt and this Day; to which Diet
 'the Parishoners were also advertised *Apud*
 'Acta to be present, and the Presbyterie
 'Adjourned their Meeting to the said day
 'and place, and this day the Stent-masters
 'named the former Diet, gave in the fol-
 'lowing Report containing the Sum conde-
 'scended on by Parishoners and Presbyterie,
 'as necessary for purchasing the foresaid
 'Utenfils, and a List of the Parishoners
 'Names, with the several Quotas laid upon
 'them, &c. (*Here insert the Report, and*
then

then say) "Which Report being heard and
 'considered by the Presbyterie, they did,
 'and hereby do approve thereof, and ap-
 'point the persons following, &c. (*Here
 insert the Collectors Names, and then say*)
 'To Collect, In gather and Receive the
 'Sums of Money above-written, from the
 'several persons contained in the foresaid
 'Stent-Roll, and Appoints and Ordains
 'the persons contained in the said Roll,
 'to make payment of their respective pro-
 'portions, to the persons foresaid, ap-
 'pointed to Collect and Receive the same,
 'who are hereby appointed to hold Compt
 'for, and deliver up to the Heretors and
 'Kirk-Session of the foresaid Parish, the
 'Sums that shall be so intromitted with,
 'and received by them, to be imployed
 'and bestowed for furnishing and provid-
 'ing the foresaid Church Utenfils that are
 'wanting, and the remainder to such other
 'pious Uses as they shall see needful; (3) And
 'the Presbyterie do humbly intreat the
 'Right Honourable the Lords of Council
 'and Session, that in case of not due pay-
 'ment, by the Parishoners of their re-
 'spective proportions above-written, in
 'manner above exprest, their Lordships
 'will

‘ will be pleased to give forth their Letters,
 ‘ for charging them to that Effect as Law
 ‘ ordains. *Extracted by ———.*

If the greater part of the Parishoners ei-
 ther convene not, or being met, did refuse
 or postpone to lay on the foresaid Tax,
*(then the Draught of the Act must go on, un-
 til these Words at Fig. (1) “ And the Pa-
 ‘ rishoners having declared their Willing-
 ‘ ness so to do, did for that End withdraw,
 which Words, and all that follow, until these
 Words at Fig. (2) “ And the Persons
 ‘ above named were called, in stead of which
 say) “ And the Parishoners refusing, or
 ‘ postponing and delaying to Stent and
 ‘ Tax themselves in manner foresaid, the
 ‘ Presbytery, with Concourse of a great
 ‘ many of the Parishoners, did estimate and
 ‘ determine, That the Sum of ——— would
 ‘ be necessary to be laid on for purchasing
 ‘ the foresaid Utensils, and did nominate
 ‘ and appoint ——— (here insert the Stent
 Masters Names) “ as Stent Masters, and
 ‘ require them to proportion and divide the
 ‘ same amongst the several Parishoners, con-
 ‘ form to their respective Abilities, and the
 ‘ Persons above named being called, were
 ‘ appointed (and so on as in the former
 Draught*

Draught, until you come to these Words at Fig. (3) “ And the Presbytery does hum-
 bly intreat, *in stead of which, and what follows, say*); “ And in regard, That the
 said Parishoners being required by the
 Presbytery, to Stent and Tax themselves
 to the Effect above mentioned, as the
 said Act of Parliament does appoint, did
 refuse (or postpone) to do the same, as
 is above set down ; Therefore the Pres-
 bytery does humbly intreat the Right
 Honourable the Lords of Council and
 Session, That they will be pleased to give
 forth their Letters, for charging the said
 Parishoners to Conveen, and Tax them-
 selves to the Effect foresaid, within such
 a time as their Lordships shall think fit ;
 And if they fail therein, will authorize
 the foresaid Stent, and impower the Pres-
 bytery to proportion the same among the
 Parishoners, according to their several Abi-
 lities, and ordain the Parishoners to make
 payment of the Money, conform to the
 several Proportions that shall be laid up-
 on them, and grant Warrant for Letters
 to charge them for that Effect. *Extract-*
ed by ———.

If any Presbytery shall think fit to prosecute more of these Matters than one, at one and the same Visitation, the Direction given to the Clerk upon the several Heads, will make it easie to conjoyn the Subjects, if needful.

Nota, That, by *Act 6. Parl. 22. Ja. 6.* Ministers are appointed to keep the Church Utenils, and he and his Heirs and Executors are by that Act made answerable therefore, in case they be lost, or used to profane Uses.

I have not here spoken any thing concerning the Augmentation of Stipends, Disjunction of large Parishes, Erecting and Building of New Churches, or of Annexing and Dismembring Churches, &c. Because all these are only competent by way of Process before the Lords of Council and Session, now appointed Commissioners by the last Parliament of *Scotland* for these and other Ends mentioned in the 9th Act of that Parliament; And the Reverend Ministers will be advised at *Edinburgh* in these Cases, before they commence their Processes; But its to be remembred, That, to the Transporting of Kirks, Disjoyning of too large Parishes, or Erecting and Building of New Kirks, that the Act of Parliament does require the

the Consent of the Heretors of Three Parts of Four, at least, of the Valuation of the Parish, whereof the Kirk is craved to be Transported, or the Parish to be Disjoyned, and New Kirks to be Erected and Built ; And that the Minister, in the mean time, serve the Cure in the present Kirk of the Parish ; And therefore, the Ministers concerned in these Parishes, must take Care to procure this Consent in Writing, before they intent any such Process.

C H A P.

C H A P. V.

*Concerning the Power of Presbyteries,
and their Method of Procedure in the
Disposal of Vacant Stipends.*

BY the Canon Law, Patrons had the Disposal and Application of the Fruits of the Vacant Benefice, which also took place with us, until the same was taken away from them by *Act 20. Sess. 1. Parl. 1644.* and stated in the Presbytery and Parish; Since the Rescinding of which *Act*, our Parliaments have sometimes applied Vacant Stipends, to such pious Uses as they found good.

But, by *Act 18. Parl. 1. Ja. 7.* and *Act 23. Sess. 2. Parl. W. and M.* Patrons are declared to have the Right, and Power of Disposal of the Vacant Stipends of all Churches, on such pious Uses within the respective Parishes, as they shall determine yearly; And by the said Acts, and the *Act 26. Sess. 6. Parl. K. W.* the Reparation of Churches, the Providing of Schools and School Masters

in every Parish, the Entertainment of the Poor, &c. are declared pious Uses, to which the Patrons may apply the Vacant Stipends, as they shall see Cause; But if the Patron be Popish, he must imploy the same by the Advice and Appointment of the Presbytery; And it is expressly provided, That, if the Patron shall fail in applying them for the Uses foresaid, he shall lose his Right of Administration thereof for that and the next Vacancy, and the same shall be disposed on by the Presbytery to the Uses foresaid; Only the Vacant Stipends and Benefices within the Bounds of the Synod of *Argyl* are excepted, and are, by the *Act* 24. of the said 2. *Sess. Parl. W. and M.* applyed for Training up of Youth at Schools and Colleges, and other pious Uses within the Bounds; And the Synod is impowered to collect, and make the Application with Consent of the Heretors.

By which Acts it appears, That, if the Presbytery do find any pious Work needful, in any of the Parishes within their Bounds; As, if a Parish be so wide and large, That it is impossible to situate one School so, as that it can be useful to the whole

whole Parish, for which Cause Two or more Schools be found needful; Or if it be so Populous, That one Schoolmaster is not capable to Teach all the Youth therein, so that the same requires another Schoolmaster; Or if a Parish ly in a place of the Countrey, where the Rate of all Necessaries is so high, that the Legal Allowance of 200 Merks is too scrimp a Maintenance for the Schoolmaster and his Family; Or if, by its Situation, the Parish be found to be a proper Seat of a Grammar School, but that a Man of any Merit or Literature cannot be got to fix there, because of the Meanness of the Salary, so that an Augmentation thereof seems necessary; Or if it be found reasonable to apply the Vacant Stipends, to help to make up the Legal Sallary, and thereby to ease the Heretors and Parishoners even of their Proportions of it; Or if the Minister have not a competent Stipend, and that yet the whole Teinds of the Parish are exhausted; Or if the Church and Church Yeard Dikes are become Ruinous, or not in such Case as the Law appoints; Or if the Church be not sufficiently provided with the necessary Utensils, such as Cups, Lavers, Table Cloths, &c. Or if any other thing

be wanting, that the Sacred or Religious Uses of the Parish in common do call for ; Then the Presbytery may require the Patron, to apply the Vacant Stipends to any of these pious Uses which they shall find most necessary ; And if the Patron, being so required, does refuse or delay to imploy them ; The Popish Patron, to the precise Uses proposed to him by the Presbytery ; And the Protestant Patron, either to these, or to some other pious Uses within the Parish, which he himself shall determine ; And shall suffer Year and Day to elapse, after the Stipends fall due, without such Application ; The Presbytery have Power thereafter to apply them to such pious Uses within the Parish, as they shall think most proper.

In making these Applications, the Presbytery may follow this Method ; They may, either of their own Accord, or upon the Application of the Minister and Kirk Session, or of the Heretors and Parishoners of that Parish, whereof the Vacant Stipends are to be disposed, appoint a Dyet for Visiting the Parish, and thereat may enquire into the State of the Parish, with relation to any of the Particulars above mentioned, and

and how many Vacant Stipends there are in it not legally disposed of? What the Sum of them does amount to, computing the Virtual at the Rate of the Fiars of the Shires these Vacant Years? For making of which Computation, an Extract of the Fiars must be lodged in the Clerks Hands before the Day of Visitation: And further, they must enquire who is Patron of the Parish? And by these Enquiries, the Presbytery having discovered the Truth as to these Heads, they may appoint a Committee of their Number to wait upon the Patron, who may show him how many Vacant Stipends there are in the Parish, and what the Sum of them extends to, and what need the Parish has of being supplied in any of the Particulars above mentioned, and intreat him to apply the Vacant Stipends to these Uses as the Law allows; And if the Patron consent, they should get from him a Write under his Hand, Destinating and Mortifying the same accordingly, and appointing fit Persons as his Commissioners to uplift them from the several Heretors, and others lyable in payment, and apply them to these Uses at his own Sight, if he be Protestant, or at the Sight and by the Advice of the Presbytery,

if he be Popish; And this being obtained, the Presbytery may see to the Execution thereof.

But if the Patron do flatly refuse, or shift and delay to give the Committee a satisfying Return, they may require the Patron, by way of Instrument, to make the foresaid Application; And having made Report of their Diligence, the Presbytery may, after Year and Day from the falling due of the Stipends, by their Act, make the Application to pious Uses within the Parish at their Pleasure.

If the Visitation proceed upon the Minister and Kirk Session, or the Heretors and and Parishoners their Application, the Bill may narrate the above mentioned Acts of Parliament, allowing Patrons, and failing of them, the Presbytery of the Bounds, to apply the Vacant Stipend to pious Uses within the respective Parishes; and represent the Prejudice the Parish sustains through want of these Particulars, to the purchasing whereof, they would have the Vacant Stipends applyed; And therefore crave a Visitation of the Parish, that the Presbytery may Enquire into the Matter, and do what is incumbent upon them

them by Law, to get these Vacant Stipends duly applyed to the foresaid most necessary pious Uses.

Upon this Application, the Presbytery may, by an Act narrating the Bill, fix a Day for the Visitation; In the framing of which Bill and Act, the Draught of the former Bills and Acts, appointing Visitations in the Cases before mentioned, will assist.

The Act of Presbytery to follow upon this Visitation, may be in this or the like Form,
 “ At — the — Day of — 17 —
 ‘ Years. The which Day, the Presbytery
 ‘ of — upon the Application of Mr. —
 ‘ Minister of the Gospel, and his Kirk
 ‘ Session of the Parish of — (or of the
 ‘ Heretors and Parishoners of —) hav-
 ‘ ing had under their serious Consideration,
 ‘ That, &c. (*here narrate the former Act of
 Presbytery appointing the Visitation, and then
 say*) “ The Presbytery did, according to
 ‘ the said Appointment, meet the said Day
 ‘ and Place, and after all due Enquiry made,
 ‘ finding, That the said Parish is so large,
 ‘ that it is impossible so to situate a School
 ‘ therein, as that it may be of Use to the
 ‘ whole Parish, or that the Parish is so Po-
 ‘ pulous

' pulous, That, &c. (here insert any of the
 ' particular pious Uses above mentioned, to
 ' which the Presbytery has thought fit to apply
 ' the Vacant Stipends, and then say) " And
 ' likewise finding, That the said Church
 ' and Parish has been Vacant from — to
 ' — for the space of — Years; And
 ' that the Stipend thereof being — year-
 ' ly, amounts in all, for the whole Years of
 ' the Vacancy, computing the Victual Sti-
 ' pend at the Rate of the Fiars of the Shire,
 ' (or Shires) within which the said Parish
 ' lyes, to the Sum of — Scots Money;
 ' And that — is Patron of the said
 ' Parish, they did appoint a Committee to
 ' attend the said Patron to the end after
 ' mentioned, who this Day did Report,
 ' That they having obeyed the Appoint-
 ' ment, did, in the Presbyteries Name, re-
 ' present to him the Circumstances of the
 ' Parish, with relation to the foresaid par-
 ' ticulars, and did intreat him to mortify
 ' and apply the foresaid Vacant Stipends to
 ' these necessary and pious Uses as the Law
 ' allows; And that he refused (or deferred)
 ' to give them a satisfying Return, where-
 ' fore they did require him, by way of In-
 ' strument, to do the same: After the re-
 ' ceiving

'ceiving of which Report, the Presbytery
 'considering, That the said ——— Patron
 ' (being Popish, has never as yet applyed
 ' the said Vacant Stipends to the Uses pro-
 ' posed to him by the Presbytery, or) be-
 ' ing Protestant, has never as yet applyed
 ' the said Vacant Stipends, either to the
 ' Uses proposed to him by the Presbytery,
 ' or to any other pious Use within that Pa-
 ' rish, as by Law he was obliged to do,
 ' albeit it be now more than Year and Day
 ' since the said Vacant Stipends became
 ' payable ; And that he was duly required
 ' to do the same, as said is, they found,
 ' That, through his said Failure, the Right
 ' and Power of Disposal of the Vacant Sti-
 ' pends of that Parish, not only for the by-
 ' past, but also for the next Vacancy that
 ' shall happen to fall, is, by virtue of the
 ' said Laws, devolved upon them, as the
 ' Presbytery of the Bounds ; And likewise
 ' found, That the Uses above mentioned
 ' are most pious and necessary within that
 ' Parish, and that the applying of the Va-
 ' cant Stipends to the said Uses, will tend
 ' most to the Good of the Parish ; And
 ' therefore the said Presbytery did, and
 ' hereby do destinate, mortify and set apart
 ' the

the said Sum of — being the Sum to
 which the bygone Vacant Stipends, com-
 puting as said is, does amount, from all
 other Uses whatsoever, to be, in all time
 coming, a fixed and settled Fund for Erect-
 ing and Maintaining another School (or
 Maintaining another Schoolmaster) in
 the said Parish, or for augmenting the
 Ministers Stipend, &c. (*here insert the
 particular pious Uses, to which the Stipend is
 to be applyed, and if the Use be the Settling
 of a New School, or Augmenting the School-
 masters Sallary, or Ministers Stipend, go
 on and say*) “ And the Presbytery
 Wills, Appoints and Ordains, That
 the said Sum be placed, lent out, and be-
 stowed, for the legal and ordinary Annu-
 alrent, upon real, or other sufficient Se-
 curity; And that the Writes and Rights
 therefore, be taken and conceived as fol-
 lows, *viz.* The principal Sum payable
 to the Moderator of this Presbytery for
 the time being, and his Successors in Of-
 fice, for the Use and Behoof of the Mini-
 ster, or (of the Person, who shall be
 first legally settled as a second (or con-
 junct) Schoolmaster (or Doctor) in the
 said Parish, or of — present Minister
 or

or (Schoolmaster) of the said Parish, and his
 Successors in Office, and the Annual rent
 thereof payable to the said Minister or
 Schoolmaster, and his said Successors in that
 Office, during their Continuance therein;
 And in the Vacancies of the Church
 or Schoolmasters Office, to the Modera-
 tor of the said Presbytery for the time
 being, and his Successors in that Office;
 And how oft it shall be found needful to
 uplift the said principal Sum, That the
 same be again lent out, and imployed in
 manner, and to the Uses aforesaid; And
 that the Annual rents of the said principal
 Sum, that shall fall due during the Vacan-
 cy, be bestowed and imployed, either for
 increasing the Fund, or for other pious
 Uses, as this Presbytery shall appoint;
 And to the Intent, That this present Mor-
 tification and Destination may be duly
 executed, the Presbytery hereby Nomi-
 nates and Appoints ——— their Fac-
 tors, Trustees and Commissioners, to the
 Effect above and after mentioned, Giv-
 ing and Granting to them, their full
 Power and Warrant in their Name, to
 Crave, Receive and Uptake from the
 several Heretors, Liferenters, and others
 lyable

lyable in payment of Stipend in the said
 Parish, their respective Proportions of the
 foresaid Sum of ——— of Vacant Stipend;
 And if need be, to charge and pursue there-
 fore, and upon payment to grant Receipts
 and Discharges, which shall be sufficient
 to the Receivers; And the said Sum being
 so uplifted, to lend out and bestow the
 same for Annualrent, upon good Security,
 as said is, and to take the Rights thereof
 in manner above mentioned; And gene-
 rally, every other thing necessary, for
 executing this Commission, to do, that,
 to the Office of Factors or Commissioners,
 in such a Case, is known to pertain, pro-
 mising to hold firm and stable, whatever
 the said Persons lawfully and profitably
 Act and Do, or cause to be Acted and
 Done in the Premises; The same being
 always agreeable to the Tenor and Design
 of the present Mortification, and the said
 Persons holding true and faithful Compt
 to this Presbytery, of their Intrromissions
 with the foresaid Sum, or any part there-
 of, and of the Disposal of the same, as
 is above prescribed. And in Testimony
 of the Premises, the Presbytery does here-
 by Authorize and Appoint ——— their
 Moderator,

‘ Moderator, in their Name, to Subscribe
 ‘ these Presents, Day and Place foresaid.
Sic Subscribitur ——. Extracted by ——.

If it be thought fit to imploy the Vacant Stipends, to help to provide a School-House, and make up the Legal Salary to the Schoolmaster of the Parish, thereby to ease the Heretors and Parishoners of a part of their Proportions of the Burden; But the Presbytery does, at the same time, insist, to have them Stented and Burdened for the Remainder of the Legal Allowance; Then, what is said upon *Chap. 1.* concerning Schools, joyned with what is mentioned in *Chap. 3.* of the Method of Applying Vacant Stipends, where the Patron is willing to apply the same, or with what is said above in this *Chapter*, where the Patron refuses or delays the Application, will be a sufficient Direction to the Clerk.

In case the Sovereign be Patron of the Parish, whereof the Stipends are Vacant, and which are intended to be applied for pious Uses within the same; Then, after the Presbytery has, at a Visitation, enquired into the Matter, and discovered the Extent of the Vacant Stipends, and found it necessary or reasonable, That the same
 should

should be applied to such a pious Use within the Parish, as they shall condescend on, and that the Sovereign is Patron ; They must next present a Gift thereof to Her Majesty, Mortifying and Applying the same to the foresaid Uses ; And if Her Majesty, and Her Treasury or Exchequer shall think fit to grant it, the same may be expedite in the usual manner.

Upon the Presbyteries Application, and Production of the Royal Gift, or of the Act of Presbytery Applying the Vacant Stipends to pious Uses within the respective Parishes, the Lords of Session will grant Letters of Horning upon the said Gift, or will interpose their Authority to the Presbyteries Act, and grant Letters of Horning thereupon, charging the Heretors, and others lyable in payment, to pay their respective Proportions of the Vacant Stipends, to the Collectors named by the Presbytery to Receive and Apply the same.

FINIS.

ERRATA.

PAge 27. Line 4. Read ~~116~~ 116: Parl. 12.
Occ. and l. ult. and p. 49. l. 24. r. *Act*
 161. Parl. 13. *Occ.* p. 52. l. 7. r. *not*
Habitable, p. 55. l. 2. for, *did Burden as*,
 r. *upon — as*, p. 60. l. 15. after *Fig. (5)*
add, in Page 52. p. 81. l. penult. for, *soon*,
 r. *go on*, p. 85. l. 12. and p. 86. l. 9. and
 p. 89. l. 7. for, *Fig. (9)* r. *Fig. (11)* p.
 85. l. 14. and 17. for, *Fig. (10)* r. *Fig.*
(12) p. 90. l. 4. dele, *if*, and p. 103. l.
 11. after *Words*, add, *must be left out*.

Other Literal Escapes that marr not the
 Sense, the Reader may help as he goes
 through.

А Т А Я

1. *Antennae* 10-segmented, 1st seg. 1.5 times length of 2nd, 2nd seg. 1.5 times length of 3rd, 3rd seg. 1.5 times length of 4th, 4th seg. 1.5 times length of 5th, 5th seg. 1.5 times length of 6th, 6th seg. 1.5 times length of 7th, 7th seg. 1.5 times length of 8th, 8th seg. 1.5 times length of 9th, 9th seg. 1.5 times length of 10th.

Other Internal Expenses that must not be
Sunk, the Revenue may help to be good

